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Mapping the Representation of Women and Men in Legal Professions Across the EU

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Mapping the Representation of Women and Men in Legal Professions Across the EU

Legal and Parliamentary Affairs



Policy Department for Citizens' Rights and Constitutional Affairs
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POLICY DEPARTMENT FOR CITIZENS' RIGHTS AND
CONSTITUTIONAL AFFAIRS

LEGAL AND PARLIAMENTARY AFFAIRS

Mapping the Representation of Women and Men in Legal Professions Across the EU

STUDY

Abstract

Upon request by the Committee on Legal Affairs, this study analysis is mapping across all 28 EU Member States the representation of women and men in legal professions. The aim of this study is to identify areas where women or men are currently underrepresented and to analyse the underlying reasons and constraints.

ABOUT THE PUBLICATION

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AUTHORS

Yvonne Galligan, Renate Haupfleisch, Lisa Irvine, Katja Korolkova, Monika Natter, Ulrike Schultz, Sally Wheeler

RESPONSIBLE ADMINISTRATOR

Udo Bux

Policy Department for Citizens' Rights and Constitutional Affairs

European Parliament

B-1047 Bruxelles

E-mail: poldep-citizens@ep.europa.eu

EDITORIAL ASSISTANT

Monika Laura Lazaruk

LINGUISTIC VERSIONS

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ABOUT THE EDITOR

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LIST OF ABBREVIATIONS

ACA-Europe	Association of the councils of State and Supreme Administrative Jurisdictions of the EU
CCBE	Council of Bars and Law Societies of Europe
CEPEJ	European Commission for the Efficiency of Justice
CJEU	Court of Justice of the European Union
CNUE	Council of the Notariats of the European Union
CSR	Corporate Social Responsibility
ECHR	European Court of Human Rights
ECLA	European Company Lawyers Association
EJTN	European Judicial Training Network
ENCJ	European Network of Councils for the Judiciary
ERA	Academy of European Law
EWLA	European Women Lawyers Association
FEMM	European Parliament's Committee on Women's Rights and Gender Equality
ICC	International Criminal Court
JURI	European Parliament's Committee on Legal Affairs
NA	Not available
NAP	Not applicable

COUNTRY ABBREVIATIONS

AT	Austria	IE	Ireland
BE	Belgium	IT	Italy
BG	Bulgaria	LT	Lithuania
CY	Cyprus	LU	Luxembourg
CZ	Czech Republic	LV	Latvia
DE	Germany	MT	Malta
DK	Denmark	NL	The Netherlands
EE	Estonia	PO	Poland
EL	Greece	PT	Portugal
ES	Spain	RO	Romania
FI	Finland	SE	Sweden
FR	France	SI	Slovenia
HR	Croatia	SK	Slovakia
HU	Hungary	UK	United Kingdom
		UK-E&W	England and Wales
		UK-NI	Northern Ireland

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EXPLANATION OF TERMINOLOGY USED

Court staff definitions¹

Professional Judges

In the corresponding analysis, the term 'professional judge' refers to the full time equivalent number of professional judges working in the country. A judge is a person who is recruited, trained and receives remuneration for the function of a judge as a main occupation.

It therefore does not refer to professional judges who sit on an occasional basis (as is permitted in Malta and UK – England and Wales, Northern Ireland and Scotland). It also does not refer to non-professional judges which are prevalent in a considerable number of Member States of the European Union (BE, CZ, DK, DE, EE, ES, FR, HR LU, HU, AT, SI, SK, FI, SE, UK – England and Wales and UK – Scotland).

Prosecutors

The term 'prosecutor' – while carrying variations in duties from Member State to Member State – broadly encompasses the role of a public authority entrusted with qualifying and carrying out prosecutions.

In all references to 'prosecutor', prosecutors in the Member State have a role in prosecuting criminal cases. Variations occur in the other areas of law (for example administrative or civil) and the autonomy of the public prosecution services. For the purposes of this study, the term 'prosecutor' encompasses all of these variations between Member States.

Other court staff

- **Rechtspfleger** refers to people who fulfil the role of working alongside judges and may carry out various legal tasks, particularly in the areas of family or succession law. They also make some judicial decisions independently in regards to the granting of nationality, execution of court decisions, auctions of immovable goods, payment orders, criminal cases and enforcement of judgements.
- **Non-judge staff assisting judges** are staff who directly assist judges, for example with judicial activities and authenticating acts.
- **Administrative staff** are staff responsible for various administrative duties and for management of the courts.
- **Technical staff** are staff employed in IT, cleaning and security in courts.
- **Other non-judge staff** are other staff members who are not judges and are not included in any of the above definitions.

¹ All definitions of court staff are in accordance with those put forward in CEPEJ study no.23 (2016).

Lawyers definition²

Lawyers are taken to be members of the bar and law societies in the relevant Member State, as collected by the Council of Bars and Law Societies of Europe (CCBE). It refers to all people registered as solicitors, advocates, barristers and lawyers in their respective Member State.

Notary/notary public definition

Notaries in Europe fall under two main distinctions – that of a notary in countries governed by civil law, and that of a notary public in countries governed by common law.

In Civil Law Countries, their “essential mission is to confer authenticity on the legal instruments and contracts they establish for their clients in areas of law as diverse as marriage contracts, company statutes, wills, real estate, etc.”³.

In Common Law Countries, a notary public’s duties are somewhat different, and are generally more limited than that of a civil law notary. For the purposes of this report, a distinction has been made when referring to notaries in Common Law countries and Civil Law countries, and this should be in mind when using the data comparatively.

Law tradition definitions

Common Law Countries

In Europe, the term Common Law Countries primarily refers to the UK and Ireland and to some extent to Cyprus and Malta. In Cyprus, the legal system is based on English common law as inherited from British colonisation, with civil law influences, particularly in criminal law. In Malta, the legal system is based on Roman civil law but English common law also constitutes a source of Maltese law, most notably in public law.

Common law is generally uncodified, therefore there is no comprehensive compilation of legal rules and statutes. It is largely based on precedent, thus the judicial decisions that have already been made in similar cases (“case law”). As a result, judges have an enormous role in shaping the law.

Civil Law Countries

With the exception of the countries mentioned above, European countries belong to civil law tradition, which is ultimately based on a Roman law tradition.

Civil law is codified and thus based on comprehensive, continuously updated legal codes. The judge’s decision is consequently less crucial in shaping civil law than the decisions of legislators and legal scholars who draft and interpret the codes.

² Definition of lawyer in accordance with source: Council for Bars and Law Societies of Europe (Accessed April 2017).

³ CNUE – Council of Notaries Europe.

EXECUTIVE SUMMARY

The aim of this study, commissioned by the European Parliament's Committee on Legal Affairs, is to map the representation of women and men in legal professions across all 28 Member States. Thus, the overall objective of the research is to provide a picture of the existing gender situation in various legal professions throughout the EU. The reasons for an under-representation of women or men in certain legal professions will be identified and examined.

For a long time, legal professions in Europe were exclusively male. Although most countries had given women access to the legal professions by the early 20th century, access to the judiciary and prosecution office was linked to full civic rights with suffrage. In many Western European countries this was before or just after World War I, in other countries it took until after World War II.

Although there has been a continuous shift towards more gender equality in the legal professions since then, considerable gender imbalances still persist. This is true for all EU Member States, even though the situation varies considerably between countries, legal professions as well as level of hierarchy.

There are numerous arguments brought forward for gender equality in the judiciary, including the equal opportunities and fairness principle, ensuring democratic legitimacy and the discussion about specific contributions women might make to the judiciary. There are, however, still many barriers, that in particular women have to face. Among them are the persistence of gender stereotypes and implicit gender bias, difficulties in reconciling family and professional life, a paucity of effective mentoring and support networks and a lack of transparency in appointment and promotion processes.

Today, professional judge positions are quite evenly distributed, on average, between women and men in the European Union, though females are consistently in a slight majority. This hides however some considerable variations since a consistent majority (over 60%) of males occupy professional judge posts in Common Law Countries. The most obvious trend in the judicial professions is the decrease in the proportion of females as the level of court and seniority of post increases. Thus, while there is an average female majority among **judges and prosecutors** at first instance courts, this is reversed at higher court levels and at supreme courts the average gender distribution is consistently two-thirds male and one-third female.

A further gender gap of some magnitude is found among **non-judge court staff** (Rechtspfleger, staff assisting judges, administrative staff and technical staff), where in 2014, for every one male there were three females carrying out these duties.

When it comes to **lawyers** there has been a gradual increase overall in the proportion of women lawyers over the past decade, rising from 35% in 2004 to 43% in 2015. However, the numbers of women progressing to partnership or to elite levels in the advocacy profession is still very small. There still seems to be largely insufficient commitment to diversity at all level in firms. Only very few law firms address the issue as one concerning women and men and therefore see the need to address the general attitude of all members of the firm and their culture.

Large gender gaps are seen in the case of **notaries** in common law jurisdictions, where male representation is over 70%. Also in most Western European Civil Law Countries the notariat is still a very male profession. In most countries there are high entrance barriers. The profession has a very high prestige and excellent income perspectives. In the former communist countries, on the other hand, the proportion of women in the notariat is very high. However, this might be explained by the fact that the functions, prestige and income of a notary under communism was rather low and thus very different from the functions of a notary in a Western civil law country.

When it comes to education, law, which has traditionally been a 'male' subject, has turned into a highly feminised subject with about 60% female **law students** on average. The numbers for graduates in law are very similar. At doctoral level, however, there seems to be a general tendency that there is a loss of about 10-20% women in this stage. There are more men than women undertaking doctoral studies in law in the majority of Member States, indicating that the 'leaky pipeline' in academia begins at this point.

Since there is so far no EU wide collection of information on **law professors**, this report had to rely on data of the European Commission's She Figures. This data, however, includes law professors only in the 'social sciences' category and does not disaggregate the data according to the social sciences sub-categories (e.g. law). Thus, it is only possible to give a very sketchy picture of the gender distribution of law professors across the EU Member States.

Overall, the findings of this study suggest that there is much to do in terms of gender equality in the judicial professions across Europe. The survey findings conducted for this study reinforce other qualitative research findings that the barriers to women's full and equal participation with men in the judicial professions centre around the following issues:

- The persistence of gender stereotypes, including gender bias (often unconscious) in recruitment, selection and promotion processes.
- The difficulties in reconciling work and non-work responsibilities, exacerbated in circumstances where a long hours culture is an accepted way of working.
- A lack of transparency in appointment and promotion processes.
- A dearth of mentoring practices and supportive networks.
- Lack of visibility of female role models in the most senior positions in the judicial professions.
- Important gaps and inconsistencies in data collection that make full comparison difficult

These findings point to a need to address legal cultures and practices, so as to establish and maintain an environment where women as well as men have equal opportunities to have fulfilling careers in the law. The report provides recommendations for JURI to consider relating to gender equality in the legal professions, comprehensive data collection, harmonisation of qualifications and a common curriculum for legal studies with the inclusion of gender as a cross-cutting subject. It also recommends the establishment of a 'gender equality in the judicial professions' **network** to bring forward a work plan to address the barriers, identify concrete measures to tackle gender imbalances, devise a suitable monitoring framework, and give visibility to the many good practices of Member States that deserve replication in others.

1. INTRODUCTION

The Committee on Legal Affairs of the European Parliament has commissioned a study with the purpose of mapping across all 28 EU Member States the representation of women and men in legal professions. The aim of this study is to identify areas where women or men are currently underrepresented and to analyse the underlying reasons and constraints.

This report is divided into 7 chapters:

- Chapter 1: The introduction lays out the aim and structure of the study.
- Chapter 2: The Methodology summarises the tools that were used in gathering information for this study. It also contains a definition of the terms the data is based on.
- Chapter 3: Provides a historic overview of the development and situation of women and men in legal professions.
- Chapter 4: Reviews selected national and cross-national academic research and literature in the legal field. It is thereby focusing on arguments put forward for gender equality in the judiciary, barriers to achieving gender equality, measures to promote equality, the 'quota debate' and the topic of promoting gender equality in law firms.
- Chapter 5: Contains the data analysis and main findings concerning the situation of gender equality in the different legal professions and education in law.
- Chapter 6: Summarises the outcomes of the conducted stakeholder consultation.
- Chapter 7: The final chapter presents the conclusions of the study and sets out some recommendations on the topic, based on the findings of this study.

2. METHODOLOGY

Three methodological main tools were used in this study:

- an extensive review of existing literature;
- secondary data collection;
- consultation with stakeholders.

Thus, this study relies mainly on secondary data, that is data readily available from other sources. It was therefore not within the scope of this study to close data gaps or verify all data. The only primary data in this study was collected via a survey among stakeholders.

2.1. Literature review

In order to set the presented quantitative data within a wider context, an extensive literature review was conducted. It includes research studies, papers and articles on the topic of gender equality in the legal professions and evidence from within as well as outside the EU. In the United States for instance there is already extensive research on the topic.

Literature was reviewed on arguments for gender equality in the judiciary, barriers to equality, measures to promote gender equality and the debate of quotas in the legal field.

The main focus of the review was on the judiciary and lawyers since these are the most widely researched legal professions. There is not much research or debate so far concerning other legal professions.

2.2. Data on legal professions and legal education

The methodology for this study draws mainly on collecting quantitative data from existing national and European statistical sources that have open access to provide relevant and comparative data across timelines. The data covers judges, court presidents, prosecutors, heads of prosecution offices, members of the bar and law societies in each Member State and people registered in the Member States as notaries. Finally, some data on students and academics is presented.

Data concerning the **judiciary** (including prosecution and non-judge court staff) in each of the EU Member States was collected using information published by the European Commission for the Efficiency of Justice (CEPEJ), the latest available comparative data stemming from 2014. The limitations of this data are already acknowledged by the CEPEJ in their 2012, 2014 and 2016 reports⁴. That is, that it should be in the mind of the reader that all information collected is subject to the interpretation of questions asked by the researchers and that 'best fit' of available information for each Member State is applied. A further difficulty encountered was the lack of consistency of information that was 'Not Available' (NA) and 'Not Applicable' (NAP). In many cases, data was not applicable for some years and not available for some others in cases that institutions had and practices had not changed (for example, information for 'Court President' for UK – England and Wales was not applicable in 2010, 'not available' in 2012 and 'not applicable' again in 2014). This suggests that some inconsistencies in data collection or definitions exist within this data set.

The data on **lawyers** is based on data collected by the Council of Bars and Law Societies of Europe (CCBE), and presents the number of female and male members of the bar and law

⁴ Available here:
<http://www.coe.int/t/dghl/cooperation/cepej/evaluation/2016/publication/CEPEJ%20Study%202023%20report%20EN%20web.pdf>

societies as reported by each Member State. The information was processed by year and by Member State, allowing for trends to be understood for each Member State across a relatively long time frame. There are, however, some limitations with this data. For instance, not all bars and law societies require information regarding gender from their registered members (for example Spain). Further, in some cases lawyers were registered as active and inactive in their respective bars or law societies, and in some cases active members only were recorded. In some cases no distinction was made. In Ireland the figures include only members of the bar council but not solicitors. A further challenge encountered was the most recent year for which data was available. Countries that had previously reported their gender disaggregated data to CCBE, did not do so consistently, and thus, the most recent year available for each country can be inconsistent. For example, Croatia has just three years available (2004, 2005, 2015) – making comparisons between Croatia and other countries across time difficult.

The data on **law students** and graduates in EU Member States is based on information collected by EUROSTAT. Since there is so far no comparable collection of information on **law professors**, the data included in this report had to rely on data provided by the European Commission's She Figures. This data, however, includes law professors only in the 'social sciences' category. The definition of social sciences followed by She Figures is that found in the Frascati Manual which covers 9 disciplinary areas – psychology and cognitive sciences, economics and business, education, sociology, law, political science, social and economic geography, media and communications and other social sciences.

As demonstrated, a number of the methodological challenges encountered in collecting the data for this study stem from the limitations of existing national and European statistics. During the process of consolidating and processing these databases, data gaps were identified and in some instances the available data seemed implausible. While the data collected by CEPEJ proved to be rather comprehensive and solid, this was not always the case with other data. However, to collect reliable and comparative data on this issue goes beyond the scope of this study and would require extensive primary data collection. A particular challenge was the fact that She Figures does not disaggregate the data according to the social sciences sub-categories (which was confirmed by Eurostat following our request). Thus, it is only possible to give a very sketchy picture of the gender distribution of law professors across the EU Member States.

Furthermore, some of the country charts do not include all 28 Member States. We systematically researched data on each of the areas for every EU Member State. However, we found that not all countries held a full and comprehensive set of data. In other instances, the information sought was not relevant, or did not apply, to the country in question. In the compilation of some tables in which there was incomplete data by country, we opted to exclude these countries from the charts.

2.3. Survey among stakeholders

In agreement with the European Parliament, a broad **consultation of European stakeholders** for the legal professions was conducted through a survey with closed and open ended questions. It aimed at getting the opinion of European stakeholder organisations on the gender situation in the legal profession, existing gender imbalances and the underlying reasons, as well as possible ways of tackling the challenges. Based on a prior analysis of the stakeholders' websites, a modular questionnaire tailored to each organisation was drafted.

Questionnaires were sent to the Academy of European Law (ERA); the Association of the Councils of State and Supreme Administrative Jurisdictions of the EU (ACA-Europe); the

Council of Bars and Law Societies of Europe (CCBE); the Council of the Notaries of the European Union (CNUE); the European Network of Councils for the Judiciary (ENCJ); the European Judicial Training Network (EJTN); the European Women Lawyers Association (EWLA); and the European Company Lawyers Association (ECLA).

However, despite numerous reminders and follow-up phone calls, the response by the stakeholder organisations remained unfortunately low with only half of the approached organisations reacting to the survey. This as well as the answers of those organisations that did reply suggests that gender equality issues are currently not in the main focus of these associations. The findings of the survey are presented in chapter 6.

The questionnaire approach was furthermore used for the collection of data on the notarial profession, since no data is currently collected in that field on European cross-country level. Thus, this data was collected using a mixed approach: via a **survey conducted among national notary associations** in the EU Member States and using an online database⁵ provided by the Council of the Notariats of the European Union (CNUE) together with national notary websites. The response rate was 86% (19 countries out of 22, however the Czech Republic and Luxembourg only responded to specify that they cannot provide any data). Only in cases where no country data was provided in the context of the survey, was available online data used. However, where available, a preference was always given to the information provided by individual national notary associations in response to the survey. This was due to the primary nature of this information.

⁵ Available here: <http://www.notaries-directory.eu/>

3. HISTORICAL OVERVIEW

Women were late to enter the legal professions. The constitutions passed in the course of the 19th century in continental European countries contained equality principles, but women were not included. In the civil codes of the grand legislations women were systematically denied civil rights, and were legally subordinate to their fathers and husbands. They had no access to higher education and to the professions as they were considered unsuitable due to perceived gender characteristics, and it was presumed that they would jeopardise status, prestige, and income level of the professions. It was the early women's movement which heavily criticised this situation as discrimination and fought for women to be admitted to universities first and then to get access to the professions and public office. With the introduction of a system of formal qualifications in education and professional orders, women had the opportunity to demonstrate that they were well able of meeting the set criteria.

The emergence of socialist movements paved the way for the new constitutions of the 20th century which gradually introduced more equality for men and women. This removed any excuse for excluding them from the legal professions without undermining the legitimacy of the state's demand for strict adherence to the law. Following the social, political and moral upheaval following World War I egalitarian views had become more acceptable and women began to be appreciated in the new social order as a valuable human resource, although moral considerations suggesting that women ought to be granted equal rights still carried relatively little weight. World War II and its aftermath brought a consolidation of the drive towards integration of women into society and the professions, but translating the principle of gender equality fully into social reality required further struggles which last until today.

Although some countries had given women access to the legal professions at the beginning of the 20th century, access to public office, the judiciary and the prosecution, was linked to full civic rights with suffrage. In many Western European countries women got the right to vote with the new constitutions before or after World War I (ranging from Finland in 1906, to the UK in 1928), in other countries it took until after World War II (e.g. France in 1944, Hungary in 1945 and Italy in 1946) and in some countries even longer (e.g. Greece in 1952).

Until the 1950s there were celibacy clauses in some countries for women in the civil service and the judiciary which meant that they had to leave their institutions on marriage, and later on double income earner discussions denounced women in the professions. Under communism, Eastern European countries were faster in granting women access to legal professions than the Western European countries. But this did not necessarily mean that they got prestigious positions.

As demonstrated above, the history of women in the legal professions in Europe is diverse. Antidiscrimination policies and legislation of the European Union have ultimately created a common legal framework, but the social reality in the Member States still shows deficiencies in access to higher positions and income. Women in law were and still are more vulnerable in their positions than men.

This overview of the history, development and situation of women in legal professions and occupations is concentrating on the judiciary (including prosecutors) and lawyers. Information on other groups performing legal tasks like paralegals, legal personnel and staff etc., who at least traditionally had no academic training, are even more diverse and their history and situation is not well documented.

3.1. The way into the legal professions

For a long time, legal professions were exclusively male. In the UK, the first woman was admitted to a law faculty in 1873, in Italy in 1876, in France in 1887, in Germany differing from state to state between 1900 and 1908. However, being admitted to university did not necessarily mean that they were granted the right to take a degree in law. In the UK women only got the possibility to graduate in 1917, in Germany in 1912, in Norway and Sweden a little earlier in 1890 and 1897. The next step women had to fight for was admission to practical training and to practice. In Germany, for instance, a special act on the admission of women to legal practice was finally passed in 1922.

In several countries women got access to the legal profession at the beginning of the 20th century, but were only admitted decades later as judges. In France and Italy, the first woman was admitted to the advocacy in 1900 and 1919 respectively, the corresponding dates for the judiciary were 1946 and 1963. In Portugal, the first female judge was admitted after the end of the Salazar regime in 1974.

Also in the UK and Ireland a similar discrepancy between women's first access to the advocacy and the judiciary existed, albeit for very different reasons. In these Common Law Countries access to judicial positions is not given on the basis of academic qualifications, but judges are individually recruited from among older and especially meritorious members of the bar. It took until the 1960s and 1970s before women were appointed to county courts or high courts. The first female judge in Northern Ireland was appointed in 1998 to a county court, the first female high court judge in 2015. In Ireland, the first female judge was appointed in 1980.

The following table presents an overview of the first women being admitted to law faculties, the first female law graduates, lawyers, judges and legal academics. It only comprises data of fully fledged lawyers in classical legal professions and occupations. The data is taken from different sources⁶.

Table 3.1: First Women in the Legal Profession

COUNTRY	1 st WOMAN ADMITTED TO LAW FACULTY	1 st WOMAN LAW GRADUATE	1 st FEMALE LAWYER ADMITTED	1 st FEMALE JUDGE ADMITTED	1 st FEMALE LEGAL ACADEMIC
Belgium	1882	1923	1921	1948	1933
Czech Rep.				1930	
Denmark			1919	1933	
Estonia	1905		1935	After WW II	1939 (lecturer)

⁶ The data are from the comparative volumes on Women in the World's Legal Professions, (Schultz/Shaw 2003), Gender and Judging (Schultz/Shaw 2013), articles in socio-legal journals and contributions for a forthcoming book on Gender and Careers in the Legal Academy.

COUNTRY	1st WOMAN ADMITTED TO LAW FACULTY	1st WOMAN LAW GRADUATE	1st FEMALE LAWYER ADMITTED	1st FEMALE JUDGE ADMITTED	1st FEMALE LEGAL ACADEMIC
Finland	1899	1906	Female lay advocates end of 19 th century	1930s	1961
France	1887	1897	1900	1946	1931
Germany	1900-1908	1912	1925/1926	1927	1965 law prof.
Italy	1976	(1777)	1919	1963	
Ireland			1920		
Netherlands	1897	1901	1903	1947	1932
Norway		1890		1968 (Supr. Court)	
Poland	1915		1925	1929	
Portugal			1918	1974	
Sweden	1912	1897/1918	1918		
England/ Wales	1873	1917	1920-1922	1945/1956/ 1962/1965 ⁷ Appeal Court	
Scotland	1906	1912	1919		1990

3.2. The development of gender distribution in legal education

In the first half of the 20th century the number of female law students had only increased slowly. The image of law as a male subject only faded gradually. The prejudice that women were too soft, emotional, tending to bias and lacking objectivity kept strong and they were considered to endanger the high held principle of universalism.

In the 1970s the number of women enrolling in law faculties started to rise, in the 1980s increasingly, in the 1990s dramatically. From the total exclusion of women, law within a couple of decades became a highly feminised subject. Safe methods of birth control and an improved economic situation in Europe had brought more women into higher education. Law became a preferred choice as legal education prepares for positions in the civil service which give women favourable working conditions, including maternal and parental leave, the possibility to work part-time, and there is no income discrimination. The second wave

⁷ 1945 first woman appointed a metropolitan stipendiary magistrate; 1956 first woman to be appointed as recorder; 1962 first female judge in a County Court; 1965 first female judge in the High Court. All these courts are courts of first instance.

of the women's movement had furthermore paved the way for women to leave the private sphere, become politically active and fight for women's rights.

In most countries women meanwhile constitute the majority of law students, although there are reports that they still feel alienated in legal education and complain about sexism in the faculties and old-fashioned teaching.

3.3. Different legal traditions and cultures

In comparing the status and situation of women in legal professions, special features of the legal systems and in the structure of the legal professions have always to be kept in mind. The most striking divide in this respect is between Common Law and Civil Law Countries. In Europe the countries with a Roman law tradition belong to the so-called civil law sphere with special aspects in the Nordic countries and changes during the communist area in Eastern and South Eastern European countries. The UK and Ireland belong to the common law sphere. There are also overlaps and mutual influences between these spheres, and each of them in turn encompasses a wide range of differentiations within.

Germany and Austria have a mixed Germanic/Roman law tradition. In Germany all fully fledged lawyers (judges, prosecutors, 'advocates', notaries, lawyers in the higher civil service) have to go through the same two phase legal education with university studies followed by a practical training in the different legal functions, with two state examinations arranged by the State Ministries of Justice and the Appeal courts. In England and Wales solicitors as the major part of practicing lawyers historically did not even need an academic qualification and it is still not necessary for them to take a degree in law. In pursuit of the Bologna process almost all countries in Europe have introduced bachelors and masters in law at university level, one of the few exceptions is for instance Germany. Specialisation for different functions happens through special schools (e.g. for judges, the college of law of solicitors in England) or in-practice training.

The typical countries with a Roman law tradition are Italy, France, Spain and Portugal although modern reforms of the legal system and the professions have led to different developments in these countries. The Eastern and South Eastern countries had adopted German and French civil law (the Napoleonic Code Civil) and structures to varying degrees in the course of the 19th and 20th century. Meanwhile, there is a marked American influence in South Eastern Europe as America acts as a donor country and e.g. the criminal procedure and the role of the defence lawyer and the prosecution is remodelled according to the American system. In the Anglo-American system the prosecutor and the defence lawyer are opponents (adversarial system) and the judge holds the position of an umpire, in the civil law system the judge directs the proceedings, and the prosecutor acts more explicitly as representative of the state power and has to deal with incriminating as well as exonerating facts (inquisitorial system).

In almost all countries there was a bi-partition into two classes of lawyers – but along different lines. In Civil Law Countries a smaller number of 'procurators' were in charge of the more technical procedural tasks, while larger numbers of advocates dealt with the clients and were in charge of the pleadings at court. When consultancy work gained in weight for growing numbers of lawyers and contentious work lost in importance, the professions were fused. In France the procurators (called avoués) have kept some special tasks. In the common law system there is a bi-partition between solicitors and barristers. Solicitors, as the large part of the profession, traditionally were dealing with the clients, and performing notarial tasks, barristers, in former times the 'noble men of the law', were in charge of representation and criminal defence at court. They are specialised and

consulted as 'counsel' in different fields of law. Traditionally they were not allowed to have client contact. Until the 1970s only half of the solicitors had an academic qualification, many a non-law degree, and in-practice training still plays an important role. With the rise of the large law firms and their specialisation, patterns of income possibilities and prestige have changed between the 'two sides of the profession' and have become more diverse. The most important difference still is that judges are mainly recruited from the ranks of senior barristers (Queen's counsel, also called silk). However, it has to be kept in mind that judicial tasks are not only performed by judges at high courts⁸ but also by recorders⁹ and magistrates at lower courts, e.g. crown court and regional county courts.

Differences exist also in respect of notarial functions. The Roman law countries follow the tradition of the Latin notariat, which is a separate profession in charge of certain functions including authentications of contracts and documents and conveyancing, with high income and prestige. In countries under communist regime the notary was more like a 'stamp official', the same is true for Common Law Countries like the UK and Ireland where these functions are mainly carried out by solicitors. Only London notaries have a somewhat more prestigious position. In Germany, there are four kinds of notaries, solo-notaries, advocate-notaries who can combine practice as a notary with notarial functions, notaries with the status of a higher civil servant and state notaries in a lower range of the civil service.

3.4. Increase in numbers of students and practitioners

All countries have experienced not only an enormous increase in law students and law graduates, but also an exponential increase in the numbers of advocates, lawyers in the civil service, in companies and other parts of the economy and in non-traditional legal positions, e.g. non-profit work. This has strongly influenced legal work. The classical functions have been extended and new fields of work have been created. Compared to the 1950s there are 10 times more advocates in practice. This has led to a stratification of work in the advocacy and a differentiation of forms of practice. The number of judges and prosecutors however has remained limited depending on, and in relation to, the size of the population. All these professions go to a varying percentage through a process of feminisation. The increase in female law graduates and lawyers does not only change the composition of the professions numerically, but also the image and self-perception in the professions.¹⁰

3.5. Impact factors on the gender situation in the legal professions

3.5.1. Social status

Apart from the historically grown professional structures, the judicial systems and certain legal regulations, also the social status of women and the prevailing family model in a particular country are particularly relevant to the situation of women in the legal professions. In some countries a male breadwinner model is still predominant with many women working part-time and some staying at home, although this model is fading out under the impact of moves towards more gender equality in Europe. In some countries

⁸ High courts are also First Instance Courts. They are not higher courts in the sense of appeal courts or supreme courts. Judges are situated in London and go on circuit in the whole of England and Wales.

⁹ Recorders make 32% of the judges in England and Wales. The Judicial System of England and Wales. Available at:

<https://www.judiciary.gov.uk/wp-content/uploads/2016/05/international-visitors-guide-10a.pdf>, p. 37.

¹⁰ See: Schultz, Ulrike (2003): Women in the World's Legal Professions. Overview and Synthesis. In: Ulrike Schultz and Gisela Shaw (eds): Women in the World's Legal Professions. Oxford, Hart 2003, pp. XXV – LXII and Schultz, Ulrike (2013): Do German Judges Need Gender Education? In: Schultz, Ulrike and Shaw, Gisela: Gender and Judging. Oxford, Hart, pp. 585 – 598.

women may have an overall equal share in work places, but patriarchal structures still prevail. Other countries have more open family models. All this defines the possibilities of participation of women in the legal labour market.

3.5.2. Political systems

The political systems have deeply impacted on the role and positions of jurists in general and female jurists in particular, as the history of the former communist countries demonstrates. As opportunities for individuals fighting for their rights were not seen to be in the interest of a socialist society, the number of practicing lawyers had been strictly limited while judges, and in particular prosecutors, had a function best compared to that of social/ideological workers. On the other hand, the small group of practicing lawyers that did exist enjoyed higher prestige and income than any other branch of the legal profession. The percentage of women increased in direct proportion to their social and political standing with many women in the state notariat and few in legal practice.

3.5.3. Internationalisation

Another factor of change impacting on female participation in legal work is the widening of markets in the past decades through Europeanisation and internationalisation. The resulting demand for higher specialisation in legal work led to changes in the structure of law firms but also to the economisation of legal practice followed by deregulation. This makes women, who often face the main burden of having to combine family and professional work, more vulnerable.

3.5.4. Economic situation

Also the economic situation influences women's chances on the legal labour market. With a flourishing economy, more lawyers are needed, which improves women's chances. Women are therefore the labour market's 'reserve'.

3.6. The gender distribution in different professions¹¹

Due to the manifold differences resulting from the judicial and professional systems and social and legal traditions in different countries only a sketchy picture of the situation of women in the legal profession can be given below.

3.6.1. Lawyers

To become a member of the bar a legal qualification, in almost all countries a university degree, is needed, in some countries additionally a practical training. More men than women succeed in gaining the training place of their choice and subsequently their first job in a particular law firm as they tend to have a higher social capital through networks and connections.

Women tend to be less specialised than men. They are also more likely to work with individual clients from the lower and middle strata as well as in particular female-dominated segments of the legal services market, such as family and social law, and in a whole range of specialist fields of little prestige and financial clout like tort. Men dominate the fields of commercial and property law.

¹¹ The description is based on results of the comparative work in the Women/Gender in the Legal Profession Group which is part of the Research Committee for the Sociology of Law (International Sociological Association). Comp. the publications listed under Schultz and Schultz/Shaw.

More research is needed to analyse the extent to which this division of labour is the outcome of self-selection, and/or the result from women being encouraged or even pushed into certain areas of work which are associated with supposed feminine features such as sympathy, intuitiveness and altruism. Family law is a case in point. Women do frequently opt for it themselves in preference to other areas of law as it usually means routinized work easily fitted into a planned work schedule and requires less regular updating through training. Divorce cases can be dealt with in small firms and, unlike commercial cases, rarely require working overtime or during the weekend, but may cause particular stress.¹²

In most countries women are more likely to work as solo-practitioners or in office-sharing arrangements. They have a particularly low income. In recent years, new career stages have been introduced in law firms in addition to 'associate' at entrance level. These are: non-equity partner, salary partner, counsel, and finally different stages of partnership: fixed-share, regional, associated, junior or full partner. Women's promotion is mostly restricted to the lower rungs of the career hierarchy, only few make it to the (extremely well-paid) top. Women thus represent the 'working class' of the legal services market. Where advisory and transactional work has a high significance in lawyers' overall portfolio, women face the problem of being pushed into the invisible functions in the background. This also negatively influences their financial rewards. Significant income differences in law firms are therefore only partly due to differences in specialisation, age, professional experience, career step and size of the firm, but can be attributed also to female commitment and productivity being held in lower esteem. Women's social capital (social connections, respect and reputation) tends to be seen as being less valuable.

The liberal professions have always been characterised by a philosophy of total commitment and a culture of long working hours. In order to combine family and work one option is working part-time. There are, however, striking national differences in working part-time. In some countries like the Netherlands it is almost the rule, in others like Finland almost non-existent. Women in the profession have fewer children than their male colleagues, in many countries mothers working in the profession organise their life by hiring and financing domestic help, as they still have to bear the main burden of family duties.

3.6.2. Notaries

In most civil law jurisdictions public notaries hold a key position, tend to be high earners, and have been very successful as gate keepers. They are also overwhelmingly male. Without exceptions women in all these countries were allowed into the notariat late and only reluctantly. In Roman law countries this was helped by the profession's traditional recruitment strategies which did not rely on legal qualifications but on an apprenticeship system. Until some time ago French notaries were allowed to sell or bequeath their office to a person of their choice. All of this favours a male culture and the exclusion of women.

In former socialist countries where the profession had been stripped of its most important roles and relegated to the lowest level within the hierarchy of the legal professions with low income possibilities, the vast majority of notaries were female. As from the early 1990s, the process of economic and political transformation reversed the profession's fate and notaries acquired the high social and professional status they have traditionally held in Western Europe. Since then, the proportion of women in the profession has begun to

¹² Schultz, Ulrike (2003): Women in the World's Legal Professions. Overview and Synthesis. In: Ulrike Schultz and Gisela Shaw (eds): Women in the World's Legal Professions. Oxford, Hart 2003, pp. XXV – LXII.

decline – particularly rapidly in East Germany due to the integration into an all-German profession, and more gently in other former communist countries where the transition from socialism to democracy and a market economy and therefore the transformation of former state notaries to members of an independent profession has been a more gradual process.¹³

A particularly interesting case when it comes to the history of notaries is Germany. Eastern Germany had a highly feminised notary profession with only relatively few notaries overall. After reunification the question was whether the model of 'Anwaltsnotar' (the combination of lawyer and notary) should be introduced in the East or the profession of solo notary. The latter was the case. In Eastern Germany there is therefore still a high percentage of female solo notaries of between 40% and 55%, whereas in the West their share is below 20%. The percentage of women amongst the 'Anwaltsnotare' is still lower. These kind of notaries have to have practiced for some time as lawyers and since two decades they need an additional examination to be admitted as notaries. Only as many get an admission as are considered to be needed. The profession used to be – and to a large extent still is – a function for the senior members of a law office, whereas the solo notaries get their position after the qualifying second legal state examination. To be admitted they need very high marks in the examination. The number of these special notaries has been decreasing over the past two decades whereas the number of solo notaries has remained stable.

3.6.3. Judges and prosecutors

In Civil Law Countries women have, after slow beginnings in Western Europe, taken the judiciary by storm. In former communist countries the increase of women in the judiciary and in prosecution had started earlier due to the more pronounced gender equality dogma in these countries. As posts are mainly allocated on the basis of academic merit, women's chances of getting a position are excellent. In many countries women meanwhile make the majority of judges and prosecutors. In some countries, e.g. France and the Netherlands measures are taken to achieve a better sex-balance by hiring more men. This contrasts sharply with the situation in Common Law Countries where selection traditionally was based on a form of self-reproduction of older male members of the profession through the famous 'tap on the shoulder'. Barristers from whose ranks judges are chosen are already handpicked as applicants to the bar. Although the procedure for choosing candidates for the judiciary has changed, the participation of women in the judiciary still lags behind and the number of women judges only rises slowly.¹⁴

Women jurists in Civil Law Countries prefer the judiciary to other fields of legal work as it provides the advantages of the civil service with maternal and parental leave, gender-neutral remuneration and the possibility to work part-time. In Civil Law Countries this has been possible for some forty years, in England and Wales this step was taken as late as 1997. An additional appeal of the judiciary is that it offers a relatively elevated position even if no career steps are taken, a moderate or at least plannable workload, and little competitive pressure.

In some countries women prefer the self-determined role of the judge to the work of a public prosecutor in a hierarchically structured judicial authority, although the number of

¹³ Schultz, Ulrike (2003): Women in the World's Legal Professions. Overview and Synthesis. In: Ulrike Schultz and Gisela Shaw (eds): Women in the World's Legal Professions. Oxford, Hart 2003, pp. XXV – LXII.

¹⁴ Malleson, Kate (2003): Prospects for Parity: The Position of Women in the Judiciary in England and Wales. In: Ulrike Schultz and Gisela Shaw: Women in the World's Legal Professions. Oxford: Hart, pp. 175-190 and Malleson, Kate (2013): Gender Quota's for the Judiciary in England and Wales. In: Ulrike Schultz and Gisela Shaw, eds. Gender and Judging. Oxford: Hart, pp. 481 – 499.

women in the prosecution service is also high, in some countries even higher than in the judiciary, e.g. in Denmark, Estonia, Portugal, Spain and Scotland. Here the question has to be asked whether the prestige of the prosecution is lower and hence chances for women to get a position are better.

Career options are limited for both women judges and women public prosecutors. The higher the position the lower in almost all countries is the proportion of women. Less of them are presiding judges of chambers, hold positions at appeal courts and in supreme courts. In the British Supreme Court there has been throughout its history¹⁵ only one woman. Presidents of Supreme Courts are overwhelmingly male. This is not a generational problem which will be solved by a trickle-up process. Informal qualification structures for career posts and selection mechanisms advantage men.

Intriguingly, in Italy feminisation has actually brought about structural change and has led to the disappearance of hierarchies. Seniority, not merit, is now crucial for promotion decisions. In France, the judiciary has for some time suffered from a loss of image brought about by feminisation as well as by a number of other factors: standardisation of procedures as called for in a mass society, declining prestige, poor pay, lack of up-to-date facilities and unattractive office environment. Recruitment problems have resulted from young men increasingly giving preference to other more challenging fields of law, especially commercial legal practice, leaving the judicial field largely to women. Even female judges now express regret at the high degree of feminisation of the French judiciary.

Mainly two measures have been introduced to halt this loss of image of the judiciary: a differentiation of professional functions to allow for some possibility of male distinctiveness (France), and the chance of a sideways move into higher positions in the judiciary (France, the Netherlands). In the Netherlands, the latter has remained almost exclusively a male choice (97%), while in France the proportion of women and men opting for this route has been 40 per cent and 60 per cent respectively. Also, non-jurists have been allowed by the French government to enter the judiciary through a newly created non-traditional 'concours', thus increasing the proportion of male judges. In sum, a new strategy has begun to emerge aimed at increasing gender balance by encouraging moves between the judiciary, the advocacy and industry, an opportunity taken up mostly by men.¹⁶

3.6.4. Women in non-traditional legal occupations

A large and ever growing number of female law graduates work outside the classical legal professions, that is in industry, in the non-profit sector and in public services other than courts. Precise statistical data allowing for comparison do not exist. It can be assumed that the situation for women lawyers in the public sector is similar to that in the judiciary, while that for women in the private sector may resemble the situation of women in law firms.

3.6.5. Women in legal academia

Women's entry into legal academia happened still later than in other legal occupations, although again the situation in the European countries differs as table 3.1 further above shows. There is a strong relation between the number of women in academia and prestige and income. In Germany gatekeeping works through strict entrance requirements, a habilitation in addition to a dissertation, the prohibition of a call to the home university which demands mobility, and there is no incremental career pattern. In England and Wales

¹⁵ Even when the highest court was still part of the House of Lords.

¹⁶ Schultz, Ulrike (2003): Women in the World's Legal Professions. Overview and Synthesis. In: Ulrike Schultz and Gisela Shaw (eds.): Women in the World's Legal Professions. Oxford, Hart 2003, p. XLVIII.

on the other hand, until some time ago no dissertation was necessary, as there was a pre-defined career path from lecturer over senior lecturer and reader to a chair as professor.

In Germany the first woman did a habilitation in 1930, the first female law professor got her chair in 1965 and law is still a very prestigious and exclusive subject with only 15% of women on chairs. In other countries where law teachers need less academic capital, are less well paid and have fewer possibilities for additional income, the share of women in positions in law faculties developed faster and is much higher.

3.7. Special regulations and measures to protect professional women

All EU Member States have introduced legislation for the protection of women and as a means of compensating them for the disadvantages they suffer through family duties (family and medical leave acts, pension benefits for caring work etc.). In the past three decades, additional legislative and other measures have been introduced to promote women in the labour market: equal opportunities programmes (England), parity policies (France), quota systems in the civil service (Germany). In continental Europe measures of this kind tend to focus on the public service, therefore also covering women in the judiciary, the public prosecution service and public administration. In some countries also the law societies/bar associations have equal opportunities or women's advancements plans.

The equal rights and anti-discrimination legislation and other relevant measures have borne fruit in that they have kept the issue alive in public awareness and create more willingness to advance women. They have also encouraged women to exchange their experiences and to set up their own networks. The direct effects however cannot be measured.

4. LITERATURE REVIEW ON GENDER EQUALITY IN THE LEGAL FIELD

Most literature and research dealing with gender equality in the legal field focuses on the judiciary and, more recently, law firms. It can be assumed, however, that most arguments and conclusions are nevertheless also applicable to other legal professions. The chapter also includes research and evidence from outside the EU as in the United States for instance there is already extensive research on the topic.

The first part of this chapter focuses predominantly on the judiciary and will review the most common arguments made for gender equality in this profession, the barriers that many women still face as well as possible measures to promote gender equality in the legal field. Finally, some specifics for promoting gender equality in law firms will be discussed.

4.1. Arguments for gender equality in the judiciary

Various different rationales have been given in the literature in answer to the question about the benefits of a more diverse judiciary. Some of these arguments are more contentious than others, but while there is no universal consensus, it is possible to identify some basic arguments as to why there is a need for gender equality in the legal professions, particularly the judiciary. These are discussed in the following sections.

4.1.1. Equal opportunities and fairness

This principle is sometimes also referred to as 'equity principle'. The underlying idea is that it is inherently unfair if men have a near monopoly of judicial power. This argument takes as a fact that women and men are equally qualified as judges and that there are no – learned or genetic – qualities or characteristics that would justify the domination of men in decision-making bodies.¹⁷ In fact, since one of the primary functions of the judiciary is to promote equality and fairness, it would be incompatible if the very instrument charged with that goal should itself exclude women from its ranks. Moreover, the presence of women judges signals equality of opportunity for women in the legal profession who aspire to judicial office and demonstrates that judicial appointment processes are what they claim to be – fair and non-discriminatory.¹⁸

This argument is particularly important for Common Law Countries. In some Civil Law Countries, however, the situation is rather reversed with a strong feminisation of the judiciary, though usually rather in the lower ranks. A possible explanation is that in Civil Law Countries success in being appointed depends on performance in academic examinations where women do just as well as men. Furthermore, the decrease in the number of male appointees in some countries might not point to discrimination but might be due to the fact that men with top examination results tend to prefer high salary and profile positions in large international law firms.¹⁹

4.1.2. Democratic legitimacy

Another argument is based on the concept of democratic legitimacy. The idea is that a judiciary that operates in a diverse society must itself be diverse in order to better understand and respond to diverse social and individual contexts and experiences. It is not

¹⁷ Malleson, Kate (2003): Justifying Gender Equality. *Feminist Legal Studies* 1 at 15.

¹⁸ Hunter, Rosemary (2015): *More than Just a Different Face? Judicial Diversity and Decision-making*. Oxford University Press.

¹⁹ Schultz, Ulrike (2013): Introduction: Gender and Judging: Overview and Synthesis. In: *Gender and Judging*. Schultz, Ulrike, Gisela Shaw (eds) Oxford, Hart.

only important that justice is done but also that justice is seen to be done. If the judiciary is not reflective of society, justice will not be seen to be done and the process and the result will both lack legitimacy.²⁰ This argument draws on the well-established principle that exists for juries, that is that they, in order to deliver justice, must represent a reasonable cross-section of society. Thus it poses the question how diversity can be necessary for jury impartiality but not for judges.²¹

In the United States comprehensive studies of the perception of courts have demonstrated that judicial diversity can have a powerful symbolic value in promoting public confidence in the courts. Studies of the effect of judicial diversity on judicial decision-making by collegiate appellate courts in the United States have indicated that when cases were decided by panels of judges from diverse backgrounds, (1) that the judges on these judicial panels were more likely to debate a wider range of consideration in reaching their judgements than were homogenous groups of judges, (2) that the existence of such diversity on judicial panels was more likely to move the panel's decision in the direction of what the law requires, and (3) that a diverse bench was an increasingly important element in achieving an independent judiciary. Judicial diversity enriches the decision-making process because as judges interact with one another, they affect each other's views of particular cases or entire bodies of law, especially on multi-member decision-making bodies such as appeals courts.²²

4.1.3. Women making a difference

The question whether women will bring a unique contribution to the judiciary, based on their different life experiences, values and attitudes, is probably the most contentious one. These arguments go much further than those presented earlier as they not only require the presence of more women on the bench but also that these women will actually make a difference in judging. Thus, the inclusion of women's experiences will make law more representative of the variety of human experience. If there is a predominance of male judges, there might be a systematic tendency for judgements based on male life experience, so that there is a persistent bias which the presence of more women judges is needed to correct.²³

Numerous studies have been carried out on this question but there is no conclusive empirical evidence to support the theory that women 'make a difference'. There is also considerable criticism of this idea. One argument brought forward is that this view is incompatible with the crucial principle of impartiality of a judge. This sentiment is also shared by many female judges who often feel the need to distance themselves from any notion of difference in order to establish their judicial authority and to be taken seriously by their peers and hierarchy.²⁴

Consequently, the 'differences' argument has been redefined, arguing not that women judges make a difference but that they bring different perspectives, thus focusing rather on

²⁰ See for instance: Cahillane, Laura (2016): Judicial Diversity in Ireland. *Irish Journal of Legal Studies*, Vol.6(1) and Hunter, Rosemary (2015): *More than Just a Different Face? Judicial Diversity and Decision-making*. Oxford University Press.

²¹ Thomas, Cheryl (2005): *Judicial diversity in the United Kingdom and other jurisdictions: A review of research, policy and practice*. Commission for Judicial Appointments: London, UK.

²² Thomas, Cheryl (2005): *Judicial diversity in the United Kingdom and other jurisdictions: A review of research, policy and practice*. Commission for Judicial Appointments: London, UK.

²³ These arguments draw on Carol Gilligan's "ethic of care" theory. For more information see Gilligan, Carol (1982): *In a Different Voice: Psychological Theory and Women's Development*. Cambridge: Harvard University Press.

²⁴ Hunter, Rosemary (2015): *More than Just a Different Face? Judicial Diversity and Decision-making*. Oxford University Press.

the process of delivering justice than possibly different judgements. This argument, however, still shares an objection with the initial argument of 'women making a difference' as it postulates certain feminine ideals perceived as unique to women and fails to account for significant differences between women.²⁵

A further development of this idea thus focuses not on the contribution women judges might make to the judiciary but the impact of the presence of feminist judges, thus not necessarily only women but also men may be included. The concept is informed by feminist theories and an understanding of gendered experience and includes for instance noticing the gender implications of apparently neutral rules and practices, challenging gender bias in legal doctrine and judicial reasoning, or promoting substantive equality.²⁶ In the context of the Feminist Judgements Project²⁷, for instance, a group of feminist socio-legal scholars have re-written judgments from a feminist perspective in a series of mostly famous cases in English law. Sometimes they reached exactly the same conclusion but with a different reasoning and sometimes they reached a different conclusion, demonstrating with varying degrees of success that where you start from can have an effect on where you end up. This might suggest that if not all women judges, then certainly feminist judges might make a difference to substantive decision-making.²⁸

4.1.4. Further arguments

Further arguments to promote gender equality in the judiciary and other legal professions include for instance the utilitarian argument that modern societies cannot afford to lose the intellectual power and energy of half the population.²⁹ Furthermore, the presence of women judges, particularly also in the higher courts, can provide encouragement and active mentoring for women in the legal profession, law students and young women and girls in general, to seek judicial appointment, thus creating a virtuous circle enabling the gender balance in the judiciary to be improved.³⁰ Advancing women's full participation in the judiciary can also play a role in promoting gender equality in broader ways, e.g. (i) female judicial appointments, particularly at senior levels, can shift gender stereotypes, thereby changing attitudes and perceptions as to appropriate roles of men and women; and (ii) women's visibility as judicial officers can pave the way for women's greater representation in other decision-making positions, such as in legislative and executive branches of government.³¹

4.2. Barriers to achieving gender equality in the legal professions

There has been wide research about the barriers and obstacles women face to enter or advance in the legal professions. Many barriers are similar to those encountered in other areas of public life. They include for instance:

²⁵ Cahillane, Laura (2016): Judicial Diversity in Ireland. *Irish Journal of Legal Studies*, Vol.6(1)

²⁶ Hunter, Rosemary (2015): *More than Just a Different Face? Judicial Diversity and Decision-making*. Oxford University Press.

²⁷ For more information on the Feminist Judgements Project see:
<https://www.kent.ac.uk/law/fjp/about/index.html>

²⁸ Hunter, Rosemary (2015): *More than Just a Different Face? Judicial Diversity and Decision-making*. Oxford University Press.

²⁹ Cahillane, Laura (2016): Judicial Diversity in Ireland. *Irish Journal of Legal Studies*, Vol.6(1)

³⁰ Hunter, Rosemary (2015): *More than Just a Different Face? Judicial Diversity and Decision-making*. Oxford University Press.

³¹ International Commission of Jurists (2013): *Women and the Judiciary*. Geneva Forum Series no 1. Materials relating to the 2013 Geneva Forum of Judges and Lawyers convened by the International Commission of Jurists.

- **Implicit gender bias**³² based on prevailing, if often unconscious, gender stereotypes. This includes for instance that men are presumed to be competent while women often have to prove their competence over and over again. Another example is the so called 'double bind'³³. Women also often face the "maternal wall" stemming from stereotypes that link motherhood with lack of competence and commitment.
- **Difficulties in balancing personal and professional life.** While men for instance often give family responsibilities as a reason for their desire to get promoted, women rather tend to see them as a reason for not seeking promotion.³⁴ There are also stronger social expectations imposed on women about their role as mothers. Furthermore, inflexible workplaces can also make it difficult for women, who are usually still the primary caregivers, to reconcile professional and family life. Part-time work, if available at all, is often seen as an indication of reduced commitment and thus hampers career progression.
- **A paucity of effective mentors and support networks.** While there are usually well-established networks of men providing support to each other, women often lack these supportive networks. The literature suggests that there is also often effective mentoring lacking for women.³⁵
- **Hitting the glass ceiling**, characterised as an unfair system or set of attitudes that prevents women from obtaining upper-level positions. Many countries have already in place catalogues of competencies, qualities and abilities by which applicants are to be measured. This does not exclude, however, problems of the choice of these criteria, the subjective assessments of their fulfilment, and the tendency towards system self-replication, which results in men being preferred for exposed and visible (top) positions (for more details see the next section on the merit argument).³⁶

A more specific barrier for women in the judiciary is:

³² See for instance Brenner, Hannah (2014): Expanding the Pathways to Gender Equality in the Legal Profession. Legal Ethics, Volume 17, Part 2.

³³ Because they are often evaluated against a 'masculine' standard of leadership, women are left with limited and unfavourable options, no matter how they behave and perform as leaders. In particular, three predicaments put women in a double bind and can potentially undermine their leadership as well as their own advancement options:

- Extreme Perceptions: Women are perceived as too soft or too tough but never just right.
- The High Competence Threshold: Women leaders face higher standards and lower rewards than men leaders.
- Competent but Disliked: Women leaders are perceived as competent or liked, but rarely both.

For more detailed information see for instance: CATALYST (2007): The Double-Bind Dilemma for Women in Leadership: *Damned if You Do, Doomed if You Don't*. Available at:

http://www.catalyst.org/system/files/The_Double_Bind_Dilemma_for_Women_in_Leadership_Damned_if_You_Do_Doomed_if_You_Dont.pdf

³⁴ Thomas, Cheryl (2005): Judicial diversity in the United Kingdom and other jurisdictions: A review of research, policy and practice. Commission for Judicial Appointments: London, UK.

³⁵ See for instance Schultz, Ulrike and Shaw, Gisela (2013): Gender and Judging. Oxford, Hart. and Thomas, Cheryl (2005): Judicial diversity in the United Kingdom and other jurisdictions: A review of research, policy and practice. Commission for Judicial Appointments: London, UK.

³⁶ Schultz, Ulrike (2013): Introduction: Gender and Judging: Overview and Synthesis. In: Gender and Judging. Schultz, Ulrike, Gisela Shaw (eds) Oxford, Hart.

- **A Lack of transparency in the appointment procedure.**³⁷ This barrier is particularly relevant for Common Law Countries where professional visibility and achievements as well as access to – traditionally male – networks play an important role for an appointment to be judge. Various networks of power and influence (from which women are often excluded) provide information about colleagues and their abilities, thus predefining the picture of the person most suited to the post, which is often meant to ensure the system's homogeneity and stability. In Civil Law Countries on the other hand, it is easier for women to enter the judiciary, as there are formal entry examinations in place, which are anonymous, more objective and transparent and therefore more easily met by women. Although this does not necessarily mean that women are also well represented in higher courts. In both Civil and Common Law Countries appointment and selection committees remain largely in male hands, thus men are controlling access and resources and often stereotypical perceptions of masculinity and femininity play an important part.

Largely ignoring the barriers mentioned above, a frequently used argument to explain the scarcity of women in higher positions is that women simply do not apply, that it is their voluntary choice not to be promoted, which is a way of attributing responsibility for women's exclusion to women themselves. However, there are some explanations offered to why women apply fewer times for promotion, which include that men are more strongly career oriented, that women avoid early career decisions and that for women bringing up children takes precedence over careers. Another explanation given is that women anticipate failure to be appointed and therefore decide not to apply due to a lack of trust in their own abilities.³⁸

4.2.1. The merit argument against promoting gender equality

The concept of meritocracy, that is having all the qualities defined as being essential for the job, is highly valued in the legal professions. It is frequently argued that measures to combat gender discrimination might undermine the principle that the best person for the job should be hired, regardless of gender or any other factor. There is, however, an increasing perception in research and also practice that merit is rather a social construct and that what constitutes merit is defined by relatively small elites (usually also white and male). Thus, it is not the neutral or objective concept it claims to be but is rather a strongly gendered concept that emphasises some attributes and minimises the importance of others.³⁹

Furthermore, the concept of merit assumes that everyone has equal access to acquiring whatever quality is defined as 'merit' (the so-called level playing field), which is often not the case. Given the persistent 'think leader, think male' culture, women are often ascribed less merit simply by not being male. There is also a tendency to appoint people with the same experience paths as the appointer. Since the appointment is often predominantly in male hands, women who possess both the skills and capabilities to perform a role are often

³⁷ See for instance: International Commission of Jurists (2013): Women and the Judiciary. Geneva Forum Series no 1. Materials relating to the 2013 Geneva Forum of Judges and Lawyers convened by the International Commission of Jurists and Schultz, Ulrike (2013): Introduction: Gender and Judging: Overview and Synthesis.

³⁸ Schultz, Ulrike (2013): Introduction: Gender and Judging: Overview and Synthesis.

³⁹ Morison, John (2015): Finding Merit in Judicial Appointments: NIJAC and the Search for a New Judiciary in Northern Ireland; in Criminal Justice in Transition: The Northern Ireland Context. McAlinden, A-M. & Dwyer, C. (eds.). Oxford: Hart Publishing, Oxford, p. 131-156.

excluded from consideration.⁴⁰ It is therefore not surprising that research from the US shows that focus on 'merit' actually results in more biased outcomes.⁴¹

There are several ways suggested to address these shortcomings of the merit-based system. This includes for instance 'female only lists' to readdress discrimination that women have experienced in the past. Such action is supported by research that shows that unless the presence of a 'different' (e.g. female) candidate is normalised by including with them sufficient numbers of others with the same difference, they are far less likely to be selected even when they have superior skills and capabilities for the role.⁴²

A further argument takes a broad view and suggests that in the judicial appointments process it is necessary to start thinking of the judiciary and the wider legal system as a public resource, and consider what the public might want or legitimately expect from the judiciary. It could thus be avoided that the appointment process remains too concentrated on what an applicant has done within the career structure of the legal profession rather than on what he or she should be expected to do as a judge serving a wider interest.⁴³

4.3. Measures to promote gender equality in the legal professions

Historically predominantly a male career path, women comprise today in many jurisdictions more than half of law school graduates. However, the assumption that a greater number of women studying law will by its own accord also lead to greater numbers of women in the legal professions do not always prove true. Similarly, having greater numbers of women in the legal professions does not automatically increase the number of women in senior and leadership positions. Dedicated commitment and action is needed to ensure full and equal participation of women in practice. A range of practical and structural measures, including temporary special measures, are suggested to ensure women's equal representation in the legal field. Some of the main measures proposed in the literature are highlighted below:

- **Establishment of impartial and transparent recruitment processes.** In the judiciary, particularly in Common Law Countries, internal consultation processes traditionally played an important part in appointment processes for judges. In this regard the establishment of independent nominating bodies with clear mandates and sufficient powers is seen as an important step. A crucial issue pointed out by the literature is in this respect that women are also equally represented in judicial nominating or selection bodies. Sustainable and effective programmes to improve women's full and equal participation are not seen as being able to succeed over time unless women have an equal role and voice in key decision-making fora.⁴⁴

Furthermore, it is seen vital to elaborate in legislation or directives clear, transparent and holistic selection criteria. These criteria should define merit in a more sophisticated manner, explicitly including for instance the goals of diversity

⁴⁰ 30% Club (2016): Barriers to progression. Available at: https://30percentclub.org/assets/uploads/barriers_to_progression.pdf

⁴¹ Castilla, Emilio J. and Benard, Stephen (2010): The paradox of meritocracy in organizations. *Administrative Society Quarterly* 55 (4).

⁴² 30% Club (2016): Barriers to progression.

⁴³ John Morison, Finding "Merit" in Judicial Appointments: The Northern Ireland Judicial Appointments Commission (NIJAC) and the Search for a New Judiciary for Northern Ireland.

⁴⁴ International Commission of Jurists (2013): Women and the Judiciary. Geneva Forum Series no 1. Materials relating to the 2013 Geneva Forum of Judges and Lawyers convened by the International Commission of Jurists.

and gender equality and in the judiciary enable appointment from a diversity of legal backgrounds.⁴⁵

Moreover, it is suggested in the literature that the recruitment pool should be expanded through a culture of encouragement and targeted approaches to suitable female candidates, or at least by the identification and removal of discouragement strategies. Training decision-makers in gender neutral personnel assessments, inspiring gender sensitivity, and alerting them to implicit bias, especially in the context of assessment and evaluation would improve the likelihood of women applying for and gaining senior posts.⁴⁶ Public announcement of vacancies should also be the norm.

Box 4.1: CASE STUDY

Active approach to creating a more diverse judiciary in Ontario, Canada

An example for the fact that an active approach to creating a more diverse and gender equal judiciary, which is better reflecting the composition of society, bears results is the Canadian province Ontario.

Already in 1988, the province established a Judicial Appointments Advisory Committee. The Committee advertised extensively for vacant positions, explicitly noting in the advertisements that the Committee was seeking candidates who would reflect the diversity of Ontario's people. In pursuing its objective, the Committee did not adopt numerical quotas, but demographic considerations were included in the assessment criteria used by the Committee in making recommendations for appointment. Value was also attached to professional experience outside a traditional legal office and it was recognised that a great deal of relevant courtroom experience was not absolutely necessary. The Attorney General of Ontario also became personally involved, by writing to all women lawyers in Ontario who had been at the bar for ten years or more to encourage them to consider applying for the judiciary. When the committee started its work, only 4% of provincially appointed judges in Ontario were women. Within two years, 32% of judges appointed pursuant to the Committee's recommendations were women, and during the next two years, 46% of the judges appointed were women.⁴⁷

- **Enhancement of analysis and development of action plans.** As participants in the 2013 International Geneva Forum of Judges and Lawyers concluded in the conference report, comprehensive analysis of gender diversity at all levels of a country's legal system would be beneficial and the factors contributing to deficits should be clearly identified. An effective and responsive action plan should be put in place and clear commitments and targets outlined which must be accompanied by monitoring and oversight mechanisms. Responsibility for delivery must be clearly designated. In some instances, explicit political commitments and policy goals may be sufficient to make real and lasting change. In other contexts, the enactment of

⁴⁵ International Commission of Jurists (2013): Women and the Judiciary. Geneva Forum Series no 1. Materials relating to the 2013 Geneva Forum of Judges and Lawyers convened by the International Commission of Jurists.

⁴⁶ Schultz, Ulrike (2013): Introduction: Gender and Judging: Overview and Synthesis.

⁴⁷ Thomas, Cheryl (2005): Judicial diversity in the United Kingdom and other jurisdictions: A review of research, policy and practice. Commission for Judicial Appointments: London, UK.

legal provisions may be necessary, including the introduction of quota systems (for more information on quotas in the legal field see section 4.4).⁴⁸

Box 4.2: CASE STUDY

Action Plan for the advancement of women in the legal field in Austria

An example for a comprehensive action plan in the legal field is the 2015-2020 Action Plan for the advancement of women, drafted by the Austrian Ministry of Justice.

In Austria the Federal Equal Treatment Act⁴⁹ states that federal authorities should develop affirmative action plans for the advancement of women. Such plans are prepared for a period of six years; they are monitored and if necessary adjusted every two years. The plans are supposed to define the timeframe, resources and measures required to overcome the disadvantage for women. They should also state intermediate targets on the way to reach a 50% representation of women.

In line with the Federal Act the Ministry of Justice developed the 2015-2020 Action Plan (Frauenförderungsplan für das Justizressort⁵⁰) which stipulates that:

- Women are proactively invited to apply for jobs in this sector. The job announcement should explicitly state it.
- Given they have the same qualifications, women get preferential treatment in application processes and promotions until the 50% target is achieved. The preferential treatment principle has to be stated in the job announcement.
- The same rule applies to further training and education which qualify them for a promotion.
- The Committees in charge of application and promotion decisions should include members of both sexes.

- **Promoting networking and mentoring.** Enhancing the capacity and infrastructure of associations of women judges and lawyers is also often seen as critical in efforts to advance the role of women within the legal professions. These associations can fulfil a solidarity and support function for individual women, and can be a source of training and education. They can also be an important voice in advancing women's full institutional representation. Women judges and lawyers associations may also be able to raise awareness of judicial vacancies among their members, to encourage applications from female candidates, and to collectively call for or support the nomination of certain candidates. Furthermore, senior women judges and lawyers can play an important role in encouraging their peers and younger women to seek judicial appointment. Similarly, such women networks can provide valuable opportunities for exchange, reflection on challenges faced and the identification of key support needs. In the literature it is also often seen as important to have enough women role models, raising the visibility of women within

⁴⁸ International Commission of Jurists (2013): Women and the Judiciary. Geneva Forum Series no 1. Materials relating to the 2013 Geneva Forum of Judges and Lawyers convened by the International Commission of Jurists.

⁴⁹ Federal Equal Treatment Act:
<https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10008858>

the judiciary and thus countering gender stereotypes. The media plays also a central role in this.

- Continuing judicial **education on gender equality** and engagement with law faculties and academics. In order to raise gender sensitivity in the judiciary participants in the above mentioned International Geneva Forum of Judges and Lawyers suggested for instance to systematically include gender training in continuing legal education⁵¹. Furthermore, gender sensitivity could be included in the law school curricula.⁵²
- **Introducing more flexible working conditions.** This is particularly relevant for lawyers. Long working hours, often associated with commitment to the firm and a necessity in order to be considered for promotion, are common in many countries. More flexible working conditions would enhance the reconciliation of family and professional life, for both women and men.

4.4. Quotas in the legal field

As demonstrated in the previous section, there is a broad range of proactive measures with the aim of addressing existing gender inequalities. However, the persistent lack of diversity in the legal professions stimulates further discussions on how to address this issue. Thus, positive action measures, in a strict sense, such as the setting of gender quotas and targets, are increasingly being discussed also in the legal field. While both tools (quotas and targets) constitute specific, time-bound measurable objectives, quotas are stricter since they are mandatory, usually include penalties for non-compliance, are non-negotiable and are enforced by an external body. For a long time, the judiciary has been seen as unsuitable for such measures. However, in recent years the relevance and the possibility of applying quotas and targets to legal professions and in particular to the judiciary came into focus, although these issues have been investigated more in the Common Law Countries than in the Civil Law Countries. Given the controversial and topical debate about the introduction of quotas, this section will look more closely into issues such as where quotas have been introduced (or discussed), their potential benefits as well as arguments against quotas.

4.4.1. Quotas: where?

Examples of gender quotas in the judiciary are limited. At the international level longer-standing gender quota systems have been in operation for selection to the International Criminal Court (ICC) and the European Court of Human Rights (ECHR) where the representation of women stands at almost 50%⁵³ (2016) and 36%⁵⁴ (2016) respectively.

⁵⁰ 2015-2020 Action Plan:

<https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=20009273>

⁵¹ International Commission of Jurists (2013): Women and the Judiciary. Geneva Forum Series no 1. Materials relating to the 2013 Geneva Forum of Judges and Lawyers convened by the International Commission of Jurists.

⁵² Schultz, Ulrike (2013): Introduction: Gender and Judging: Overview and Synthesis.

⁵³ Kirsten Stefanik (2016): Women on the ICC Bench: Moving Forward and Leading the Way. Available at: <https://ilg2.org/2016/11/24/women-on-the-icc-bench-moving-forward-and-leading-the-way/>

⁵⁴ Women and men in decision-making database : http://eige.europa.eu/gender-statistics/dgs/indicator/wmidm_jud_eucrt_wmid_eucrt/bar/year:2016/geo:EU28/EGROUP:CRTS_EUR/sex:M,W/UNIT:PC/POSITION:MEMB CRT/ENTITY:ECHR

A recent study⁵⁵ on gender composition of international courts suggests that quotas or temporary special measures seem to be effective at getting women on the bench: In mid-2015, women made up 32 percent of benches with such requirements and only 15 percent of benches without them. Of the five courts (ICC and ECHR among them) with the highest percentage of women on the bench from 1999 to 2015, four had either aspirational statements for inclusion or quotas, while none of the seven courts with the lowest percentages of women on the bench had either.

The high representation of women judges in the ICC is attributed to existing regulations:⁵⁶ Article 36(8)(a) of the Rome Statute articulates considerations which must be taken into account by Member States in their election of judges. One such consideration is "(iii) A fair representation of female and male judges."⁵⁷ This was further elaborated upon in Resolution ICC-ASP/3/Res.6⁵⁸ which explains the minimum voting requirements with respect to, *inter alia*, gender. Where the number of candidates from each sex is greater than 10, each State Party must vote for at least 6 men and 6 women. In the presence of fewer than 10 candidates of a particular gender, the Resolution specifies a formula which determines the minimum voting requirement. Only ballots complying with all the various voting requirements — including gender representation — are valid. This makes the ICC unique as in practice it requires a 50% quota of women to be elected to the bench, alongside the requirement of geographical representation among the judges⁵⁹. The percentage of women on the ICC has never dropped below 39 percent since its establishment and 47 percent of all judicial slots have gone to women since its establishment.⁶⁰

The ECHR adopted a two-stage process which includes (i) creating a shortlist of three highly qualified candidates and (ii) the appointment made by politicians from this list. The short-listing procedure requires that "lists of candidates should as a general rule contain at least one candidate of each sex, unless the sex of the candidates on the list is under-represented on the Court (under 40% of judges) or if exceptional circumstances exist to derogate from this rule."⁶¹ These regulations contribute to the comparatively high percentage of female judges in the Court.

At the national level the adoption of gender quotas by national courts is rare. One of the recent examples relates to the 2014 reforms in **Belgium** which introduced gender quotas in the appointment process for the Belgian Constitutional Court. Earlier gender requirements (quota type) were introduced in the Belgian High Council of Justice which is not a judicial body but rather an advisory one. The provision required that in selecting the members no fewer than four be men and four women.

⁵⁵ See Nienke Grossman. Achieving Sex-Representative International Court Benches, *American Journal of International Law*. 82 (2016), http://scholarworks.law.ubalt.edu/cgi/viewcontent.cgi?article=1961&context=all_fac.

⁵⁶ Kirsten Stefanik (2016): Women on the ICC Bench: Moving Forward and Leading the Way. Available at: <https://ilg2.org/2016/11/24/women-on-the-icc-bench-moving-forward-and-leading-the-way/>

⁵⁷ Rome Statute of the International Criminal Court http://legal.un.org/icc/statute/99_corr/cstatute.htm

⁵⁸ Resolution ICC-ASP/3/Res.6.

https://asp.icc-cpi.int/iccdocs/asp_docs/Resolutions/ICC-ASP-ASP3-Res-06-ENG.pdf

⁵⁹ Kirsten Stefanik (2016): Women on the ICC Bench: Moving Forward and Leading the Way. Available at: <https://ilg2.org/2015/03/18/four-women-at-the-top-of-the-international-criminal-court-an-international-first/>

⁶⁰ Grossman, Nienke (2016): Achieving Sex-Representative International Court Benches. In: *American Journal of International Law*. Volume 110, pp. 82-95.

⁶¹ See Guidelines of the Committee of Ministers on the selection of candidates for the post of judge at the European Court of Human Rights: II (8). 28 March 2012.

Box 4.3: CASE STUDY

Gender quotas in the Belgian Constitutional Court

On the 4th of April 2014, the Belgian Parliament passed a Bill that introduced a quota in the composition of the Constitutional Court. It requires the Court to be composed of at least a third of judges of each sex. This requirement will however not enter into force immediately, but only once the Court is in fact composed of at least one third of female judges. In the meantime, a judge of the underrepresented sex shall be appointed every time that the two preceding appointments have not increased the number of judges of this underrepresented sex. For example, if women remain unrepresented on the Court (as they currently are, representing only around 16% of the Court), and the next two appointees are men, the third appointment will have to be a woman.

The Bill is the outcome of a 10-years discussion of the need of more gender diversity and constant critique of underrepresentation of women in the Court. The previous 2003 Act stated that the Court shall be composed of judges of both sexes. But this requirement did not guarantee the achievement of gender diversity. Up until January 2014, the Court has never counted more than one woman at a time among the twelve judges sitting on the bench.

A set of four key arguments was put forward by the promoters of quotas:

- The introduction of sex quotas is a powerful stimulus for change that has proved to be useful, notably with regards to the gender composition of the Parliament.
- There is some urgency to appoint more women on the constitutional bench.
- Other less restrictive alternatives – such as requiring that at least one member of the Court should be a woman – have failed to bring about real diversity.
- Quotas are not a radical measure since there are enough qualified women who could be appointed to the bench.

Source: <http://ohrh.law.ox.ac.uk/belgian-parliament-introduces-sex-quota-in-constitutional-court/>

In a number of EU Member States the issue of introducing gender quotas in the judiciary is being discussed. Some examples are given below.

In the **United Kingdom**, where the proportion of female judges is one of the lowest in Europe, the introduction of quotas was promoted in 2014 by the labour shadow government as 'nuclear option' for appointing female and black and ethnic minority judges in order to avoid a 100-years wait to achieve a judiciary reflecting the composition of the population.⁶² A call to use the quota instrument also comes from researchers of the London

https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016805cb1ac as well as <http://website-pace.net/documents/1653355/1653736/ProcedureElectionJudges-EN.pdf/e4472144-64bc-4926-928c-47ae9c1ea45e>

⁶² The labour shadow government appointed two of Britain's leading progressive lawyers to prepare a report "Judicial Diversity: Accelerating Change" which among other things focussed on the issue of quotas. See Bindman, Geoffrey and Monaghan, Karon (2014): Judicial Diversity: Accelerating Change. Report commissioned by the Labour shadow justice team (Lord Chancellor Sadiq Khan). Available at: https://jac.judiciary.gov.uk/sites/default/files/sync/news/accelerating_change_finalrev_0.pdf

School of Economics (LSE)⁶³ and some high-level practitioners⁶⁴. However, in its 25th Report on Judicial Appointments, the House of Lords Constitution Committee clearly rejects quotas but suggests to consider the setting of non-mandatory targets if there has been no significant increase in the number of women and minority ethnic judicial appointments in five years' time.⁶⁵

In **France** the situation is quite different from the UK as the vast majority of magistrates are women, although the situation is reversed at the top of the profession. The existing gender imbalances led the Conseil Supérieur de Magistrature (CSM) to establish a 'parity group' to analyse the issue and prepare recommendations and commissioned a study⁶⁶ on the matter. Both the CSM parity group and the study discuss the prospects of applying the already existing quota regulation (so called 'Sauvadet law') to the magistrature but come to different conclusions. The 2011 Sauvadet law imposes progressive quotas of up to 40% to corporate boards of publicly listed companies, public bodies, public administration, territorial collectivities, and several civil society institutions.⁶⁷ While the authors of the study recommend positive action in the form of quotas, the CSM parity group considers their adoption problematic. They claim that the status of the magistrature is different from other state domains in a way that it would not allow for the broad pool of candidates necessary for an effective application of quota tools. Instead they give preference to measures aimed at improving geographical mobility, working conditions, increasing the attractiveness of the magistrature, etc.⁶⁸

Also in **Spain** gender quotas have been adopted in different domains and their expansion to the legal field is discussed. Observing a very low representation of women in the High Courts, the Commission of Equality of the General Board of the Judiciary, brought forward a number of proposals with regard to reforming the selection criteria of judges, including "to introduce a system of quotas to ensure balanced representation, to be applied in cases where candidates have the same level of merits and capacity."⁶⁹ This recommendation was however not put into practice by the government.

In **Latvia** the Law on Judicial Power requires that the elections to the Supreme Court should take into account the principle of equal representation of gender. Research concludes that "these provisions have the characteristics of soft quota, because there is no guarantee that Plenary Session members will follow the gender balance principle and because there are no sanctions for non-observation of such principle."⁷⁰ Interestingly this

⁶³ Confronting Gender Inequality. Findings from the LSE Commission on Gender, Inequality and Power. London. p. 5 <http://www.lse.ac.uk/genderInstitute/pdf/Confronting-Inequality.pdf>

⁶⁴ Lady Hale (2014): Women in the Judiciary. Fiona Woolf Lecture for the Women Lawyers' Division of the Law Society. Available at: <https://www.supremecourt.uk/docs/speech-140627.pdf> p. 18

⁶⁵ Judicial Appointments. House of Lords Constitution Committee 25th Report. 2012. p. 35, par. 102; p. 36 par. 105 <https://www.publications.parliament.uk/pa/ld201012/ldselect/ldconst/272/272.pdf>

⁶⁶ La parité dans la magistrature (2012). Conseil supérieur de la magistrature. Rapport d'Activité 2012. Paris. http://www.conseil-superieur-magistrature.fr/sites/default/files/rapports_activite/csm_rapport_activite_2012.pdf

⁶⁷ The Policy on Gender Equality in France. In-depth analysis for the FEMM Committee. Directorate General for Internal Affairs. 2015. Available at: [http://www.europarl.europa.eu/RegData/etudes/IDAN/2015/510024/IPOL_IDA\(2015\)510024_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/IDAN/2015/510024/IPOL_IDA(2015)510024_EN.pdf) p.8

⁶⁸ http://www.conseil-superieur-magistrature.fr/sites/default/files/rapports_activite/csm_rapport_activite_2012.pdf p. 196

⁶⁹ Novo Canto, Sandra Isabel (2014): The Glass Ceiling in the Spanish Judiciary. available at: Time for Equality. Women in the Judiciary in Europe, <http://timeforequality.org/dossier-women-and-the-judiciary-in-italy/donnee-magistratura-in-italia-e-nel-mondo-en/the-glass-ceiling-in-the-spanish-judiciary/>

⁷⁰ Selanec, Goran and Senden, Linda (2011): Positive Action Measures to Ensure Full Equality in Practice between Men and Women, including on Company Boards. National Report: Latvia. European Network of Legal Experts in the field of Gender Equality.

positive measure works in favour of male judges as since Soviet times the profession is female-dominated.

4.4.2. Arguments in favour of quotas

The following main arguments are put forward by the supporters of quota regulations:

- Quotas work and are effective;
- Quotas as such are not new for the judiciary (geographical or religious quotas are accepted);
- The variety of quota models and design options make them a flexible instrument that can be tailored to the context.

The main argument supporting quotas is that, unlike other methods, they are **guaranteed to work**. Over the past two decades, quotas have been adopted in many European contexts (corporate boards, legislative bodies, etc.) in order to address existing gender inequalities. The number of female board members at 634 large publicly traded companies across Europe stands now at 24%, up from 11% in 2007, according to EU data. In countries with quotas in place, it is higher: 45% in Iceland, 43% in Norway, 41% in France and 30% in Germany.⁷¹

The idea of quota is **not new for the judiciary**. Both formal and informal quotas are applied in courts in relation to characteristics other than gender such as geographical, ethnic or linguistic representation. Quotas are common in international courts and tribunals, but are also not new to the national level. The UK Supreme Court, for example, applies a de facto geographical quota: two judges must come from Scotland and one from Northern Ireland.⁷²

There is a wide range of models of quota systems which can be adapted and tailored to the needs of different jurisdictions. This potential **flexibility of quota arrangements** is seen as an advantage. Quotas can operate at the application stage of a selection process, the short-listing stage, the appointment stage or all three.⁷³ They can be set at different levels (whereby 30% is considered the “critical mass” and thus the minimum requirement for an under-represented group to reach in order to sustain change) or for a limited time only. They can also be increased or decreased over time in order to account for changing situations and to demonstrate that they are proportional and only to be used as long as a persistent disadvantage of either sex exists.

4.4.3. Concerns regarding quota regulations

The opponents of the quota instrument mainly rely on three arguments:

- Quotas might contradict the national or EU legislation and in particular gender equality law and thus might be unlawful.
- Quotas undermine the merit principle and thus might weaken the quality of judicial

⁷¹ Women and men in decision-making database: Largest listed companies: Presidents, board members and employee representatives. Data available at: http://eige.europa.eu/gender-statistics/dgs/indicator/wmidm_bus_bus_wmid_comp_compbm

⁷² See Malleon, Kate (2014): The case for gender quotas for appointments to the Supreme Court. UKSC blog. <http://uksblog.com/case-gender-quotas-appointments-supreme-court/>

⁷³ Bindman, Geoffrey and Monaghan, Karon (2014): Judicial Diversity: Accelerating Change. p. 58. Available at: https://jac.judiciary.gov.uk/sites/default/files/sync/news/accelerating_change_finalrev_0.pdf

appointments as well as the quality of the judiciary services.

- Quotas have a patronising character and send the message that candidates are appointed merely because of their sex.

Are quotas lawful?

Both the European and the national legal frameworks governing equality and diversity policies are based on an equal treatment principle. Concerns have been expressed about the extent to which the introduction of quotas would be lawful, having regard to, primarily, European Union equality law. In particular, it has been argued that there might be a conflict between gender quotas and the equal treatment jurisprudence of the Court of Justice of the European Union (CJEU).

In cases brought before the CJEU the court appears to have settled the view that preferring women over men because of their gender can only be narrowly justified but is likely to be lawful where women are underrepresented in the particular field or otherwise disadvantaged, and that preference is proportionate.⁷⁴ A positive action measure is likely to be proportionate if it has not the effect of barring completely a person from access to some benefit or opportunity in favour of a member of an underrepresented group and if some consideration is given to the respective merits of all candidates (no 'automatic appointment').⁷⁵ Subject to these conditions, most experts and practitioners are convinced that there is no indication that EU law would not countenance quotas.⁷⁶

This would also be consistent with the Treaty on the Function of the European Union that anticipates that Member States will take steps to address the underrepresentation of women, at least, by the provision of 'specific advantages'. In particular, Article 157 provides that: "with a view to ensuring full equality in practice between men and women in working life, the principle of equal treatment shall not prevent any Member State from maintaining or adopting measures providing for specific advantages in order to make it easier for the underrepresented sex to pursue a vocational activity or to prevent or compensate for disadvantages in professional careers."⁷⁷

It should be noted that not all countries agree that quotas are justified when they help eradicating women's disadvantage. For example, the Constitutional Court in France has consistently opposed quotas of any kind on the basis of the republican equality principle. The judiciary in France seems to be reluctant to interpret gender equality as a substantial, enforceable right and it interprets gender quotas as an exception to the principle of equality.⁷⁸

Do quotas contradict the merit principle?

One of the key arguments against quotas is that they would undermine the merit principle of the appointment process. Critics of this argument claim that this reasoning is underpinned by the assumptions that recruitment without gender quotas is meritocratic and

⁷⁴ See for instance "Kalanke", Case C-450/93 [1995] ECR I-3051; "Marshall", Case C-409/95 [1997] ECR I-6383; "Badeck", Case C-158/97 [2000], ECR I-1902; "Abrahamsson", Case C-407/98 [2000], ECR I-5562.

⁷⁵ Abrahamsson & Anderson v Fogelqvist, Case C-407/98 [2000] ECR I-5539.

⁷⁶ See for instance Bindman, Geoffrey and Monaghan, Karon (2014): Judicial Diversity: Accelerating Change. Report commissioned by the Labour shadow justice team (Lord Chancellor Sadiq Khan), p. 55.

⁷⁷ Art 157 (4) TFEU, <http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:12012E/TXT&from=hu>

⁷⁸ Möschel, Mathias (2016): Gender Quotas in Italian and French Public Law: A Tale of Two Converging and Diverging Trajectories, Italian Constitutional Justice in Global Context, Central European University (Hungary). p. 19.

that there is a clear, objective definition of meritocracy – and that none of these assumptions is true. The specific problems with defining ‘merit’ have already been discussed in section 4.2.1 above, namely that many experts argue that ‘merit’ is a strongly gendered concept rather than a neutral one.

Thus some researchers suggest that merit and quotas are not mutually exclusive⁷⁹ and “it is entirely possible to introduce a quota system while maintaining a commitment to the highest standards in the judiciary.”⁸⁰ Some experts therefore call for applying the merit principle to a threshold model, which establishes a predetermined quality level which all candidates must meet to be selected, in order to remove any fears that quotas will lead to an unqualified candidate succeeding over a qualified one. It is further argued that, provided the quotas do not undermine this threshold test, the merit-based objections to the application of a quota system will thus fall because judgements are to be made “between a large number of differently qualified candidates where the question of which one is ‘best’ is a highly difficult judgement call [.....] where reasonable selectors will [....] disagree.”⁸¹

Others suggest interpreting the merit model in a wider manner so that merit includes diversity. In fact there are jurisdictions which define merit as including diversity as part of the adopted judicial appointment criteria, for example some of the provinces or states in Canada (Ontario, Manitoba, Alberta, Nova Scotia, Yukon) and the United States (9 of 33 states have specific provisions requiring that diversity be a consideration in selecting nominees for the appointment).⁸²

Are quotas patronising for women?

Closely related to the debate about merit is the argument that quotas are demeaning and humiliating and that women will be stigmatised as ‘quota women’ who were offered a position because of their sex instead of merit. Also many women fear that their achievements will be discounted if there are rules to include them in positions of visibility or prestige.

Critics of this argument point out that nobody suggests including women on the *sole* ground of their sex⁸³ and question the underlying assumption that all men have received their position due to mere meritocracy. They see gender inequality and discrimination as the problem, not quotas. At least quotas would give women the chance to prove that they should have been there all along and it was even more patronising to exclude women and then blame them for their own exclusion.⁸⁴

In view of this, there are suggestions to reframe gender quotas, shifting the emphasis from the problem of underrepresentation to the problem of overrepresentation – thus, moving

⁷⁹ See for example Murray, Rainbow (2015): Merit vs Equality? The argument that gender quotas violate meritocracy is based on fallacies. London School of Economics. Available at: <http://blogs.lse.ac.uk/politicsandpolicy/merit-vs-equality-argument/>

⁸⁰ Bindman, Geoffrey and Monaghan, Karon (2014): Judicial Diversity: Accelerating Change. Report commissioned by the Labour shadow justice team (Lord Chancellor Sadiq Khan), p. 57 (item 8.18).

⁸¹ Malleson, Kate (2013): Gender Quota’s for the Judiciary in England and Wales. In: Ulrike Schultz and Gisela Shaw, eds. Gender and Judging. Oxford: Hart, pp. 481 – 499.

⁸² Thomas, Cheryl (2013): Understanding Judicial Diversity. Research Report for the Advisory Panel on Judicial Diversity, 29 June 2009, UCL Judicial Institute 2013, <https://www.laws.ucl.ac.uk/wp-content/uploads/2014/12/Understanding-Judicial-Diversity-FINAL3.pdf>, p.p. 15-16.

⁸³ Gheus, Anca (2013): Three cheers for the token woman!, University of Sheffield. Available at: https://socialsciences.exeter.ac.uk/media/universityofexeter/collegeofsocialsciencesandinternationalstudies/research/conferences/Three_cheers_for_the_token_woman.pdf

⁸⁴ Murray, Rainbow (2016): The great quotas debate. Blog The Fawcett Society. Available at: <https://www.fawcettsociety.org.uk/blog/the-great-quotas-debate/>

from an underlying assumption of quotas for women, to an assumption of quotas for men. This would relieve women from the burden to prove their competence and inclusion.⁸⁵

4.5. Promoting gender equality in law firms

In Europe the situation of women in the legal profession, particularly at the top levels, seems to be quite diverse. In Eastern European countries, where women have been educated for decades to develop their own professional lives, there are more women at the top levels of bar and lawyers' associations and as partners in law firms. In Western Europe the legal profession still seems to be characterised more by traditional role models and conservative thinking. There is widespread acceptance that the problem is not so much attracting women to the profession, but in retaining them when they get to the stage of considering partnership in law firms. Thus, the presence of women at the top levels of law firms remains rather an exception and does not reflect the percentage of women as members of bars or law societies. There is still largely insufficient commitment to diversity at all levels in firms, particularly in the lower management level since gender equality is not only a senior management issue. Furthermore, only very few law firms address the issue as one concerning women and men and therefore the general attitude of all members of the firms and their culture.

Most of the issues and arguments presented in the previous sections regarding the promotion of gender equality also hold true for law firms. One argument which is furthermore specifically relevant to law firms is 'the business case for gender equality'.

4.5.1. The business case for gender equality and the debate on fixing the women or fixing the firms

The business case rests on the premise that promoting gender equality is good for a firm's competitiveness and performance. Several organisational benefits can be identified:⁸⁶

- Increased competitive advantage by attracting and retaining valued employees;
- Improved morale and productivity through flexible work practices and perceptions of fairness;
- Improved human capital management and full utilisation of employee skills and experience;
- Reductions in hiring and training costs associated with high turnover;
- New insights into customer requirements and attracting new customers in organisations with a more diverse employee base;
- Increased creativity and innovation in organisations which prioritise workplace equity;
- Reduced litigation risk;
- Reputational effects, arising from reduced reputational risks associated with discrimination claims, and organisations' raised CSR profiles.

Thus, increasingly, law firms are investing in gender diversity programmes (e.g. focussing on women's leadership training, establishing women's networks, offering coaching and

⁸⁵ Murray, Rainbow (2012): Quotas for Men? Reframing Gender Quotas as a means of quality control. Paper prepared for the annual meeting of the American Political Science Association, New Orleans, August 2012.

⁸⁶ McLaughlin, Colm and Deakin, Simon (2011): Equality law and the limits of the 'business case' for addressing gender inequalities, Centre for Business Research, University of Cambridge Working Paper No. 420. See:

mentoring, helping women to find 'sponsors' to assist them in their quest for partnership and improving internal maternity and flexible working policies). There are some debates, however, whether these programmes are actually improving diversity.

There are two opposing perspectives⁸⁷: those who believe that women should change to get ahead in the workplace ('lean in') and those who believe that the workplace should change to accommodate women.

Most law firms focus on 'lean in' strategies by providing special training for women. While some women are grateful for the special treatment, others oppose it. They perceive that the underlying message of this strategy is that women are not good enough and that in order to become a partner in the firm they need to change their behaviour and assimilate to the prevalent male working culture. Furthermore, by focussing on 'fixing the woman', gender diversity becomes a women's issue and men may not engage in the debate, particularly if it goes beyond a mere numbers game.

The stereotypical law firm culture is considered to be a 'male-dominant culture' which is often cited as being the root of all barriers to diversity and thus in need of being changed. But really changing the internal firm culture in order to accommodate women is usually not high on the business agenda of law firms and they rarely address the underlying operational and structural factors hampering diversity. For instance, an increasing share of firms already offer flexible working schemes, but as long as rewarded 'loyalty' to the firm is equalled with long working hours, women (and men) will not want to take up flexible working offers, as it could harm their careers. This could be changed if, for instance, lawyers were predominantly assessed on their effectiveness and output (e.g. client satisfaction) and when investment in non-billable (but valuable) activities is encouraged such as innovation, mentoring and team management. Lawyers would thus be incentivised to be more efficient and flexible working would be more acceptable. The Harvard Business Review reported that the most effective diversity solutions weren't even designed with diversity in mind. Thus, it is argued that law firms should stop focussing on gender equality and start focussing on operational and structural systems that hamper diversity.

4.5.2. Case study

Box 4.4: CASE STUDY

Promoting gender balance at law firm level: The example of Taj⁸⁸

A case study conducted by DTTL Global Tax & Legal Talent in 2012 looked into the success factors that led the French law firm Taj to achieving full gender balance (50%-50%) at different levels – including equity partners and governance bodies. Taj is among the leading law firms in France and is specialised in international tax and legal strategies. It has more than 430 professional staff, including 49 partners, spread over several offices across France.

https://www.cbr.cam.ac.uk/fileadmin/user_upload/centre-for-business-research/downloads/working-papers/wp420.pdf

⁸⁷ Hartung, Markus and Ziercke, Emma (2016): Fix the Woman or fix the law firm? Why law firms need to stop focusing on gender equality. IBLF. Available at: <http://www.bucerius-education.de/artikel/fix-the-woman-or-fix-the-law-firm/>

⁸⁸ For more detailed information see Deloitte (2013): Seven lessons in gender diversity. How values-driven leadership leads to the advancement of women. Available at: http://public.deloitte.com/media/0565/dttl_Diversity_lessons_from%20Taj_March2013.pdf

The approach taken by Taj proves to be fundamentally different from that of most law firms which predominantly focus on organising women's initiatives, networks and mentoring programmes. Taj has for example no formal diversity programme.

The study identified several main lessons that can be drawn from Taj's success. Among them:

- **Top management commitment is essential.** The strong commitment from Gianmarco Monsellato, CEO from 2004 to 2016, to create a more inclusive firm culture led to the advancement of women to leadership positions in significant numbers by for instance:
 - acting as a very visible and vocal champion of gender diversity and inclusiveness;
 - imposing change by, for example, appointing women over men with the same level of competency until equality is reached;
 - taking women out of their comfort zone of technical competence and put them in leadership positions;
 - emphasising individuals' strengths rather than weaknesses and demonstrating how diversity can help to grow business;
 - promoting and making the case for partners who were not members of the 'old boys' network' for assignments with major clients;
 - encouraging working from home with no negative backlash;
 - introducing and encouraging part-time work also for partners;
 - encouraging men to take paternity leave and to improve their work-life balance.
- **Ensure diversity in decision-taking** (particularly when it is about hiring and promotions). Gender balance at meetings (and the diversity of perspectives it can bring) can help to create a culture in which people feel more comfortable about sharing their ideas and views, even if they are different to everyone else's in the room. This sharing of diverse perspectives can also lead to richer solutions and greater innovation than in meetings where people are reluctant to share differing points of view.
- **Create an inclusive firm culture** characterised by acceptance, fairness and transparency. This includes for instance:
 - No toleration policy of inappropriate comments or behaviour towards women or men, even behind 'closed doors'. The management level sets the example in this respect.
 - The best/most awarding assignments are equally divided between men and women.
 - Women are not supposed to 'replicate' men but rather to bring their own unique strengths to the business.
 - Respecting people and knowing how to effectively manage differences, this helps to create loyalty, thereby making everyone more successful.
 - Everyone is afforded the same client opportunities, learning opportunities and is eligible for part-time work (regardless not only of gender but also level – even

partners can work part-time).

- Performance reviews (and promotions) are based on the contribution employees make during the time they spend working. If someone works for instance 50% of the time, that performance is adjusted to its full-time equivalence. This helps for instance women who have been on maternity leave.
- Creating a work environment where individuals can choose their career path and choose how they want to be successful. The firm has replaced the old 'up or out' professional services business model with a lattice model that gives professionals the flexibility to dial-up or dial-down responsibilities to accommodate each stage in their professional lives.
- **Measure (female) promotions:** To ensure that there are representative numbers of women in senior leadership roles, Taj measures the number of female promotions at all levels and evaluate partners on promoting women. Having women in senior and leadership roles in the firm thus helps to create a "positive cycle". Women at all levels and potential recruits see that it is possible for them to be successful, which is powerful motivation for women to join and stay with a firm.

Taj's lessons show that when women and men are given equal opportunities to succeed, they can and will do so. Identifying and implementing tools to help women obtain key assignments, promotions, and equal pay should result in achieving equity faster than merely having affinity groups in the workplace who answer to predominantly or all-male boards. Taj's inclusive practices helped them not only to achieve greater gender diversity and drive innovation, but has also resulted in:

- Reaching 50% women as partners in 2011;
- 50% women in executive roles;
- Equality of pay for equal level and performance, with women representing 50% of the top 10 earners by compensation level;
- Success of the firm: in eight years, Taj has seen the most sensational rise in the French market both in reputation and organic growth – rising from a second-tier firm to a market leader and growing 70% in a difficult economy and shrinking market.
- Taj won in the 'Best in France' category at Euromoney-Legal Media Group-European Women in Business Law Awards.

5. DATA ANALYSIS AND MAIN FINDINGS

This chapter first outlines the methods used for collecting the quantitative data for this report. The data covers judges, prosecutors, heads of prosecution offices, court presidents, members of the bar and law societies in each Member State and people in the notarial profession. In the subsequent section (5.2) the report examines the quantitative data gathered, pulls out trends and discusses the main findings.

5.1. Approach used for data collection

Collection of the quantitative data for the project largely utilised existing national and European statistical sources. These were used to provide data that is relevant to the project and comparative across timelines. The information regarding the gender balance in the notarial profession was collected via a survey carried out by the contractors and distributed to national notary associations.

Not all country charts include all 28 Member States. This is due to the fact that not all countries held a full and comprehensive set of data. In other instances, the information sought was not relevant, or did not apply, to the country in question. In the compilation of some tables in which there was incomplete data by country, these countries were excluded from the charts.

Staff working in Courts

Data concerning judges and prosecutors in each of the Member States of the European Union was collected using information published by the European Commission for the Efficiency of Justice. Information was collected on **judges, prosecutors, heads of prosecution offices and court presidents** – all with reference to the level of court (1st instance courts, 2nd instance courts and Supreme Courts). In all instances and where available, data was collected by gender and for the years 2010, 2012 and 2014 to allow for analysis of trends over time.

Information was also collected on **non-judge staff** (Rechtspfleger, administrative staff, staff assisting judges, technical staff and other non-judge staff) working in courts in all Member States, with no regard to the level of court. Information was not available by gender for non-judge staff until 2012, and thus is collected for 2012 and 2014 only.

Each Member State was treated as one instance, with the exception of the United Kingdom which was separated into England and Wales, Scotland and Northern Ireland. This was done because of the comparability issues that arise from the differing legal systems that exist in these countries.

Lawyers

The number of male and female members of the bar and law societies per Member State was collected using information made available by the Council of Bars and Law Societies of Europe (CCBE). The information was available for the years 2001, 2002, 2004, 2005, 2006, 2008, 2010, 2012, 2014 and 2015, allowing for analysis over a relatively long period of time.

The information was collected and processed by year and by Member State. The information by year gives an impression of the wider situation within the European Union

and the information by country and by year allows for trends to be understood for each Member State across the time frame.

Notaries

The information regarding the gender balance of people within the notarial profession was collected using a mixed approach. A request for the information was posed by survey to national notary associations and information was returned by 77% of those asked (furthermore, the Czech Republic and Luxembourg explicitly declined to provide data). One question asked was how many men and women were notaries in the relevant Member State. The gender disaggregated data was collected for the years 2010 and 2016, to allow for comparison across the time frame.

In instances that the survey was not returned a name analysis was applied to ascertain gender on a list of the name of notaries in each Member State, available through the Council of the Notariats of the European Union (CNUE). This information is recorded by CNUE and kept up to date by individual Member States, meaning that it is not possible to analyse trends across a time frame for Member States that the data was collected in this way.

5.2. Overview of the situation of gender equality in legal professions

This section will address the quantitative situation of women and men across the legal professions.

5.2.1. Court staff

Professional judges

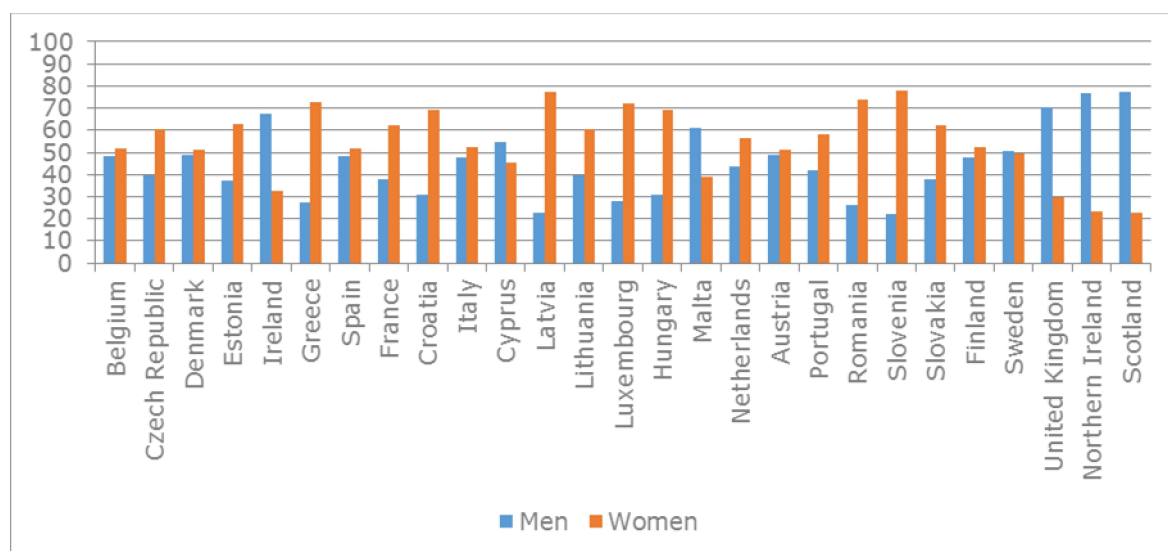
In the corresponding analysis, the term 'professional judge' refers to the full time equivalent number of professional judges working in the country. A judge is a person who is recruited, trained and receives remuneration for the function of a judge as a main occupation.

It therefore does not refer to professional judges who sit on an occasional basis (as is permitted in Malta and the UK – England and Wales, Northern Ireland and Scotland). It also does not refer to non-professional judges which are prevalent in a considerable number of Member States of the European Union (AT, BE, CZ, DE, DK, EE, ES, FI, FR, HR, HU, LU, SI, SE, SK, UK – England and Wales and UK – Scotland).

Professional judge positions are quite evenly distributed, on average, between women and men in the European Union, though females are consistently in a slight majority (2010: 53%; 2012: 53%; 2014: 55%).⁸⁹ However, this average hides some considerable variation. A consistent majority (over 60%) of males occupy professional judge posts in Common Law Countries (IE, MT, UK (England & Wales), UK (Northern Ireland) and UK (Scotland). In contrast, judge positions are predominantly held by females (over 60%) in 11 Civil Law Countries (CZ, EE, FR, HR, HU, LT, LV, PL, RO, SI, SK). In three cases (LV, RO, SI) females occupy over 70% of such posts (Figure 5.1). In most of the former communist countries the number of women in the judiciary stagnates (CZ, EE, HR, HU, PL, RO, SI, SK) while it is rising in all other countries (including also LT and LV). The high number of women in the judiciary in post-communist countries might be explained by the relatively low profile and

reputation and low income possibilities in this profession in these countries, so that men prefer employment in the financially more rewarding and more prestigious private sector.

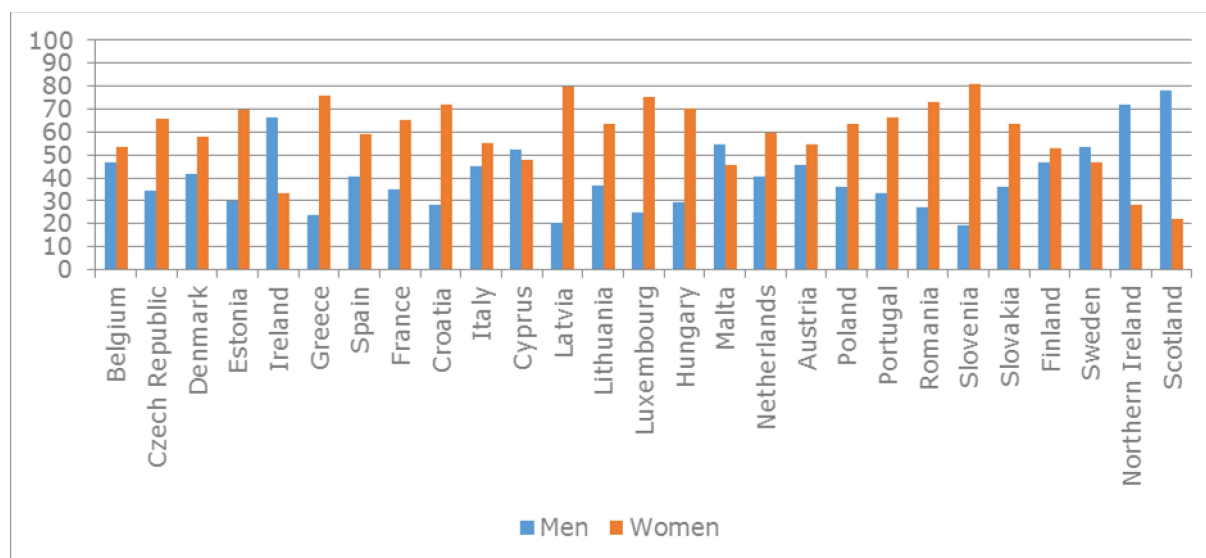
Figure 5.1: Professional Judges 2014, women and men



Source: Database from CEPEJ report

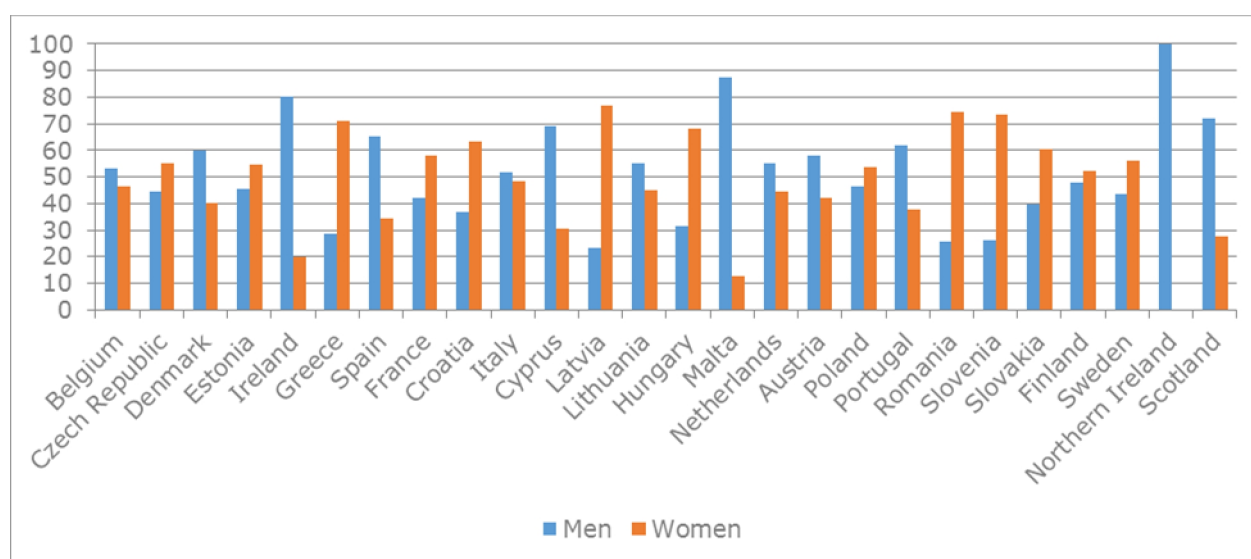
This pattern is intensified in the case of **judges of first instance** courts. There is an average female majority among judges of this level (2010: 58%; 2012: 57%; 2014: 59%). The pattern of representation among Common Law Countries in which males dominate (over 60%), is repeated in two instances (IE 76%; Scotland 78%). In Malta over the 2010-2014 period, the male preponderance decreased from 64% (number (n)=22) to 54% (n=18), though the small numbers accentuate the shift towards gender equality. Females constitute the majority (over 60%) of first instance judges in 13 Civil Law Countries (CZ, EE, EL, FR, HU, LT, LU, LV, PL, PT, RO, SI, SK). In six cases (EE, LU, LV, RO, SI) females occupy over 70% of such posts. Luxembourg is notable for the intensification of the feminisation of the judiciary at this level, with women's judicial holding going from 65% (n=148) to 75% (n=186) between 2010 and 2014. In Slovenia, this judicial level is significantly feminised, at 80% post-holding during the 2010-2014 period (Figure 5.2).

⁸⁹ The data in this section draws on CEPEJ reports of 2010, 2012 and 2014, unless otherwise stated.

Figure 5.2: Judges of First Instance 2014, women and men

Source: Database from CEPEJ report

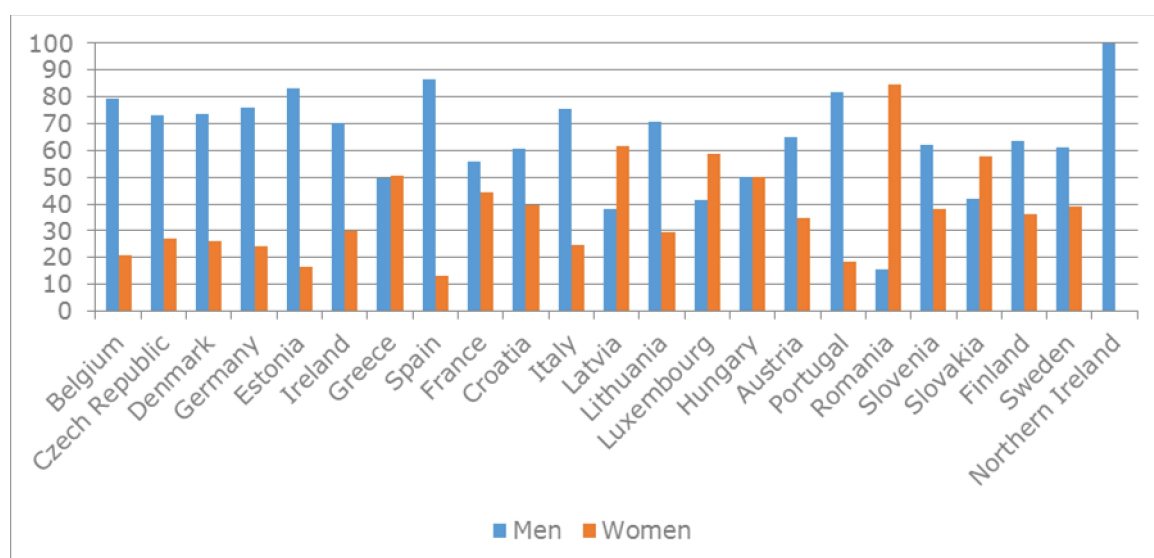
There is a small average male majority among **judges of second instance** (2010: 53%; 2012: 53%; 2014: 52%). There is a higher level of male domination of these posts, both in terms of the number of countries and the number of positions, with a clear male majority (over 60%) in seven countries in 2014 (CY, DK, ES, IE, MT, PT, UK (Scotland)). In Malta in 2010 and 2012 all of the judges of second instance were male (2010 n= 5; 2012 n=6). This changed slightly by 2014, by which time one female was appointed, along with an additional male (n=7 males). By contrast, in Cyprus, male domination of this level of the judiciary moderated from 92% (n=12) in 2010 to 69% (n=9), with an increase in female post-holding from 8% (n=1) to 31% (n=4). In three other Common Law Countries, Northern Ireland's judiciary at this level was entirely male (n=3); Ireland has a high representation of men at this level (80%, n=8); while in Scotland the male majority decreased from 94% (n=16) to 72% (n=13) over this period. Turning to female representation, eight EU countries recorded a consistent female majority (over 60%) (CZ, EL, HR, HU, LV, RO, SI, SK). Three countries (LV, RO, SI) recorded a consistent domination of these posts (over 70%) by female judges since 2010, and in one case, Greece, the feminisation of the judiciary at this level grew from 65% to 71%, even though the total number of posts decreased (2010 n=592; 2014 n=459). These patterns indicate again the different patterns between common and civil law traditions with regards to gender equality in the judiciary. They also indicate some gender awareness in judicial appointments (Figure 5.3).

Figure 5.3: Judges of Second Instance 2014, women and men

Source: Database from CEPEJ report

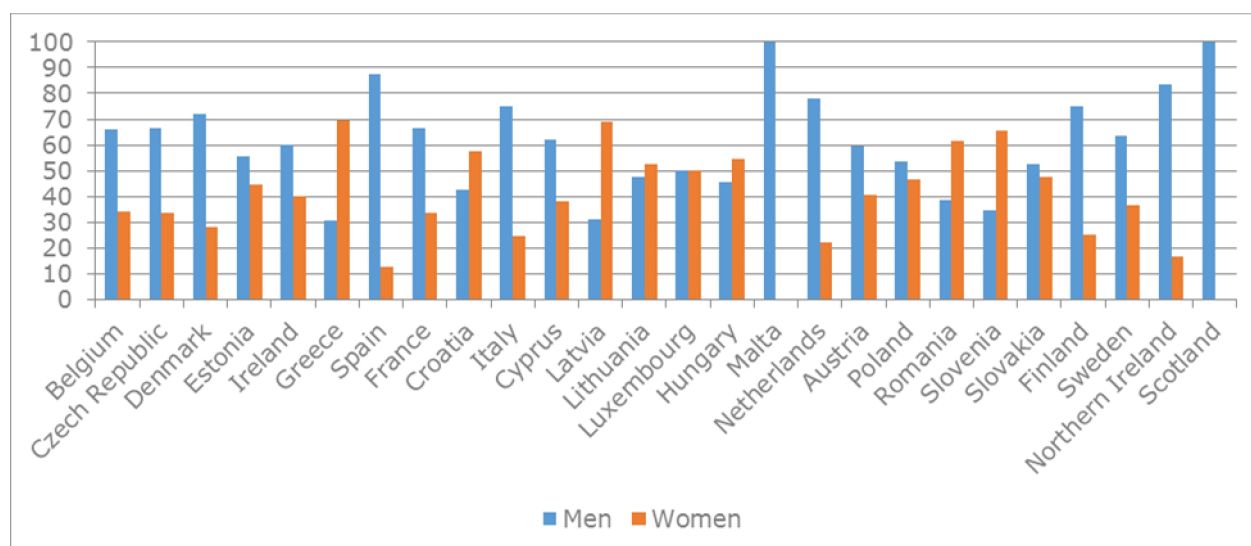
Analysis of **supreme court judges** shows the average gender distribution being consistently two-thirds male and one-third female (2010, 65% male; 2012, 67% male; 2014, 64% male). These averages hide wide variations, with seventeen EU Member States having consistent male majorities (over 60%) on their supreme courts, while some of these countries have a predominance of male judges at this level. In Northern Ireland, all high court⁹⁰ judges were male (2012 n=10; 2014 n=9), (though this has since changed with the appointment of two female High Court judges in 2015) and in Cyprus only one of these judges was female (2010 n=12 males; n=1 female). In Portugal, 92% of the supreme court judiciary was male in 2010 (n=79 male, n=6 female), though this had moderated to 81% by 2014 (n=67 male, n=15 female). In addition, three countries had over 80% of male post-holding at this level (BE, EE, ES). Only in Romania was the supreme court predominantly female, and this tendency accentuated over the period (2010 78%, n=84; 2014 85%, n=98). A further six countries had a judiciary comprising over 70% males in 2014 (CZ, DE, DK, IE, IT, LT) (Figure 5.4).

⁹⁰ Northern Ireland's High Court is treated in the CEPEJ data as a Supreme Court. The Supreme Court for Northern Ireland is the Supreme Court in London.

Figure 5.4: Supreme Court Judges 2014, women and men

Source: Database from CEPEJ report

The analysis now turns to **court presidents**, the most senior individual judges at each level. Overall, males are in a majority (over 60%) in these positions (average 2010, 64%; 2012, 61%; 2014, 61%). As above, these average figures hide wide variation, with Malta and Scotland having 100% male occupancy of these posts (MT n=3; Scotland n=1), while the highest female rates of occupancy were in Greece (70%), Latvia (69%) and Slovenia (65%). There is also a pattern of a decline in male post-holding over the 2010-14 period in nine countries (AT, BE, EE, FR, IE, IT, LU, NL, SE), though only in Estonia and Luxembourg does this decrease bring the gender distribution to parity (Figure 5.5).

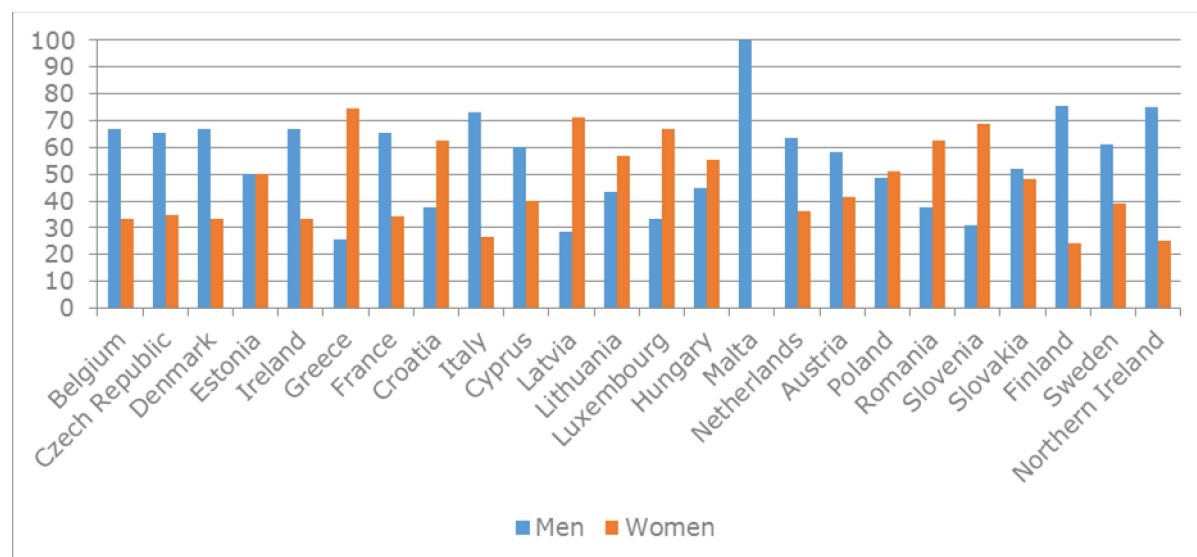
Figure 5.5: Court Presidents 2014, women and men

Source: Database from CEPEJ report

In more detail, **presidents in courts of first instance** are relatively equally distributed among males (55%) and females (46%) of the judiciary, with a trend of rebalancing in favour of females since 2010 when the proportions were 60% male, 40% female. Only in Malta were presidents all-male (n=2) in 2014. In two cases, there was a sizeable

redistribution of posts from male to female – the Netherlands, from 89% male (n=17) to 63% male (n=7) and 37% female (n=4); Austria, from 70% male (n=109) to 58% male (n=35) and 42% female (n=25) with a reduction in the overall number of positions. Luxembourg reversed the distribution: from 71% male in 2010 (n=5) to 66% female in 2014 (n=4). Once again, small numbers distort the magnitude of the shift (Figure 5.6).

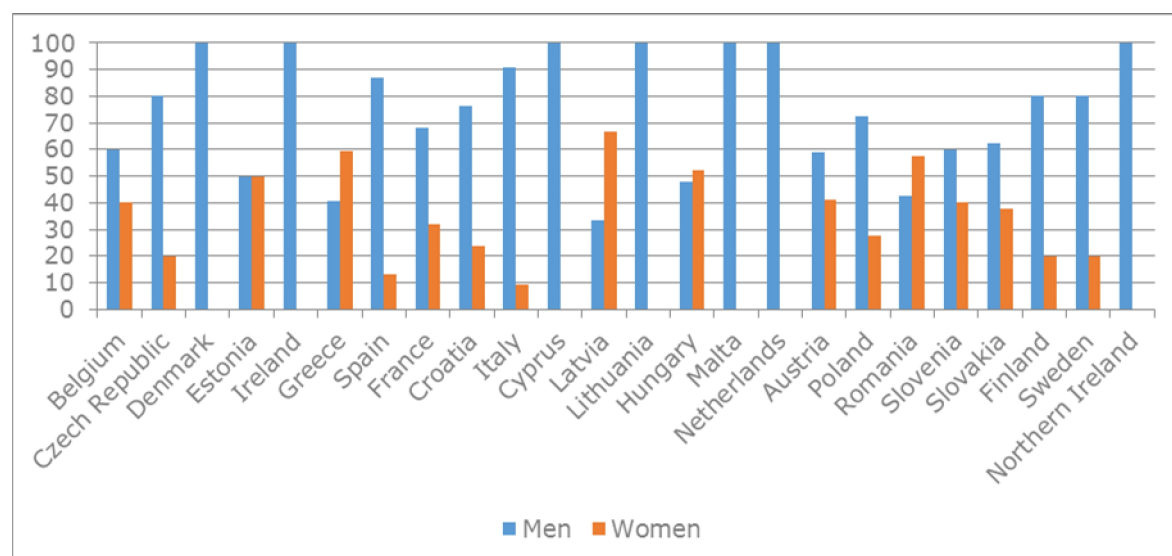
Figure 5.6: Court of First Instance Presidents 2014, women and men



Source: Database from CEPEJ report

In the case of **presidents in courts of second instance**, the gender profile is distinctively male, who hold three-quarters of these positions on average (2010, 75%; 2012, 72%, 2014, 75%). It is notable that there are fewer positions of president available here compared with the courts of first instance, and this affects the gender distribution and the potential for gender equality. For instance, the presidents of courts of second instance are all-male in seven countries (CY, DK, IE, LT, MT, NL, Northern Ireland) – but in only two cases are there more than 1 or 2 posts available (DK, n=4; NL, n=6). In four Member States female presidents are in a majority (EL, 60%; HU, 52%; LV, 67%; RO, 58%), and in Estonia, there is one male and one female president (Figure 5.7).

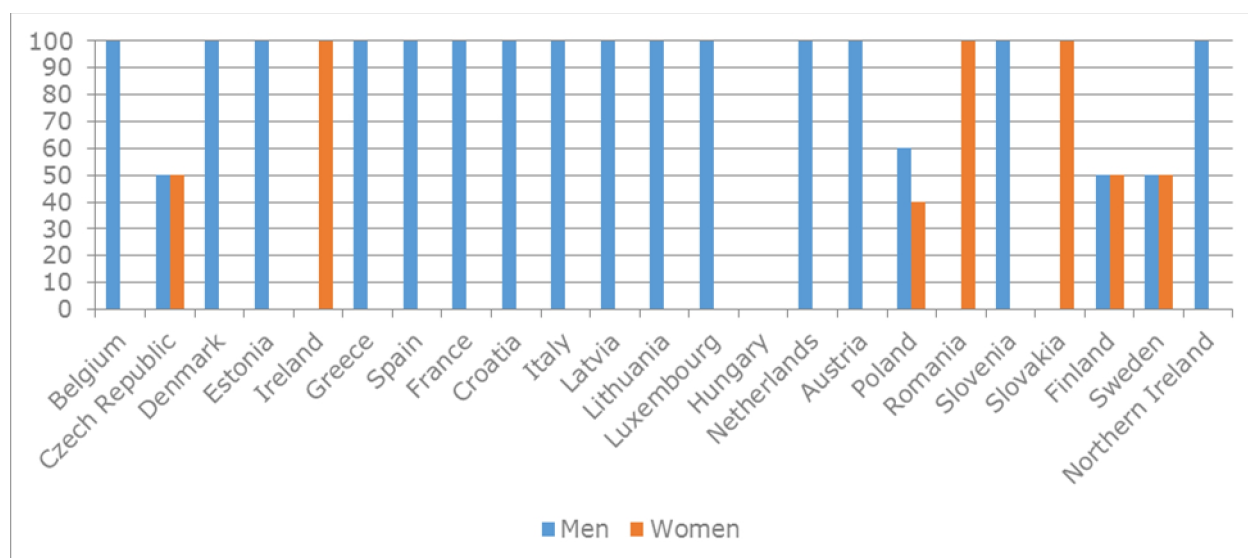
Figure 5.7: Court of Second Instance Presidents 2014, women and men



Source: Database from CEPEJ report

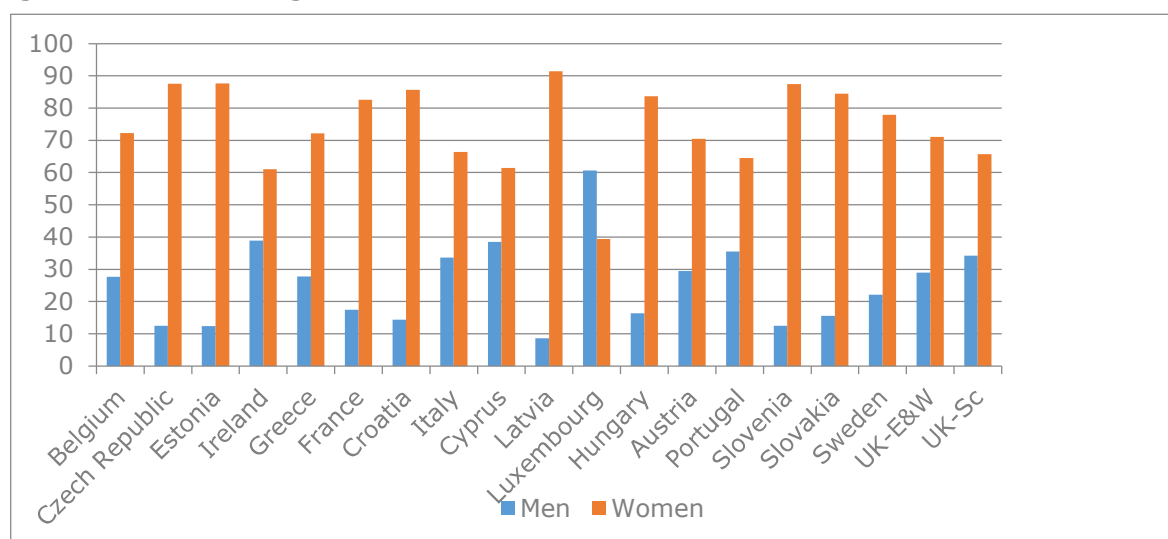
Finally, the number of **supreme court president** posts are even fewer than at other levels, and thus competition for this position is more intense. Fifteen countries have males only occupying this role, largely because there is only one position of this kind available. In three instances (IE, RO, SK), there are female Presidents. In four cases (CZ, FI, PL, SE) these positions are distributed equitably among male and female post-holders (Figure 5.8).

Figure 5.8: Supreme Court Presidents 2014, women and men



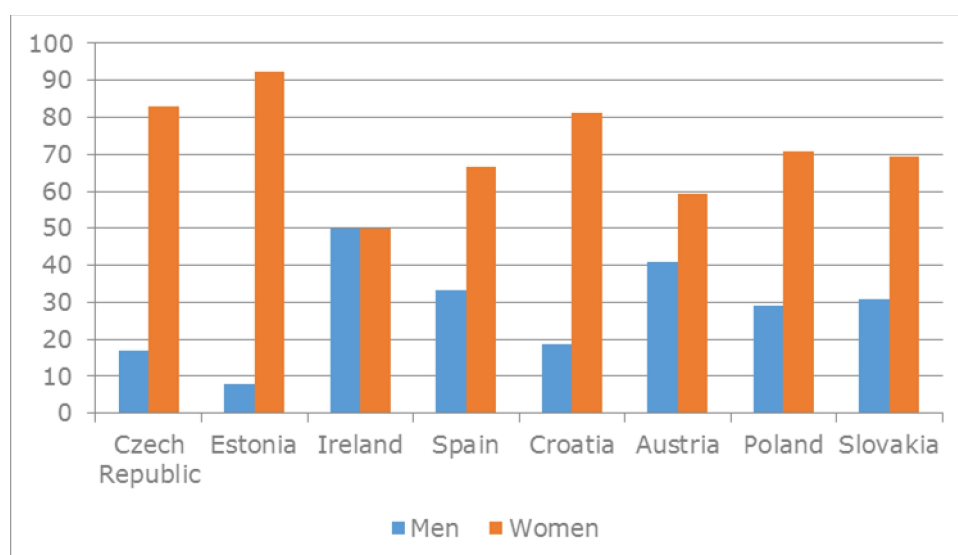
Source: Database from CEPEJ report

This section addresses the gender profile of **non-judge staff**, which span a wide range of professions and skills, and a considerable number of persons. It includes Rechtspfleger, staff assisting judges, administrative, technical and other staff. In contrast to the profile of the judiciary, which is on the whole quite gender equal, the overall profile of non-judge staff is much more female-orientated: in 2012, the average gender representation was 31% male, 69% female; by 2014 this sector had further feminised to 26% male, 74% female. There is no difference between common law and Civil Law Countries in this regard. Only in Luxembourg is the non-judge staff predominantly male (60%, n=120). In contrast, in Latvia the non-judge staff is almost entirely female (91%, n=1442) (Figure 5.9).

Figure 5.9: Non-Judge Staff 2014, women and men

Source: Database from CEPEJ report

Rechtspfleger refers to people who fulfil the role of working alongside judges and may carry out various legal tasks, particularly in the areas of family or succession law. They also make some judicial decisions independently in regards to the granting of nationality, execution of court decisions, auctions of immovable goods, payment orders, criminal cases and enforcement of judgements. The post of *Rechtspfleger* or its equivalent exists in eight EU Member States (AT, CZ, EE, ES, HR, IE, PL, SK). With the exception of Ireland where the posts are equally held by males and females (n=12, 6 male : 6 female), there is a preponderance of women, with Estonia having the highest concentration of female *Rechtspfleger*, at 92% (n=47) (Figure 5.10).

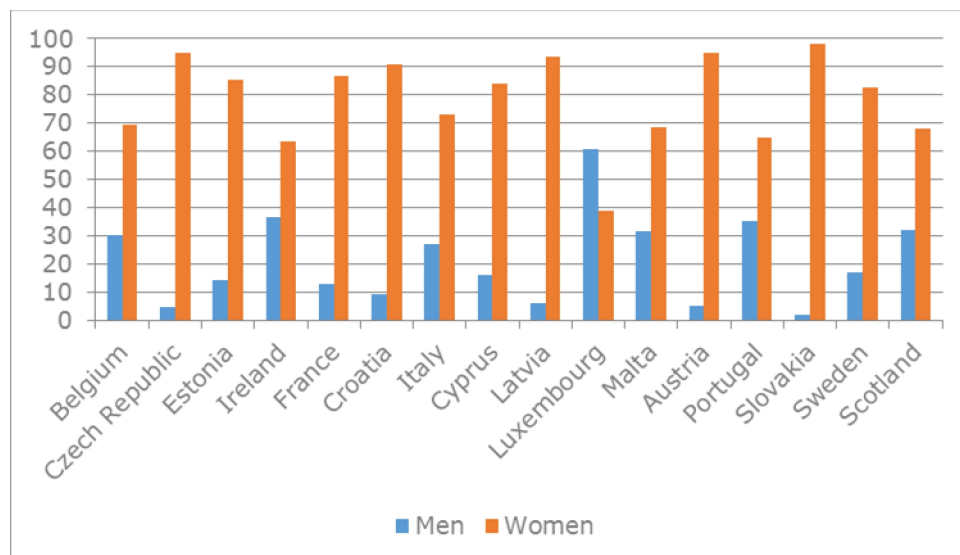
Figure 5.10: Rechtspfleger 2014, women and men

Source: Database from CEPEJ report

Sex-disaggregated data on the role of **staff assisting judges** (staff who directly assist judges, for example with judicial activities and authenticating acts), was systematically collected only for 2014, and then only in 19 separate legal jurisdictions (AT, BE, CY, CZ, EE, EL, IE, FR, HR, HU, IT, LU, LV, PT, SE, SI, SK, UK-E&W, UK-Scotland). This is also a highly

feminised sector. In five cases (AT, CZ, HR, LV, SK) females comprise more than 90% of staff in this role. In Slovakia, for example, there are 98% (n=2063) women assisting judges compared with 2% (n=42) men. Luxembourg is the only country in which males dominate these posts, at 61% (n=117) (Figure 5.11).

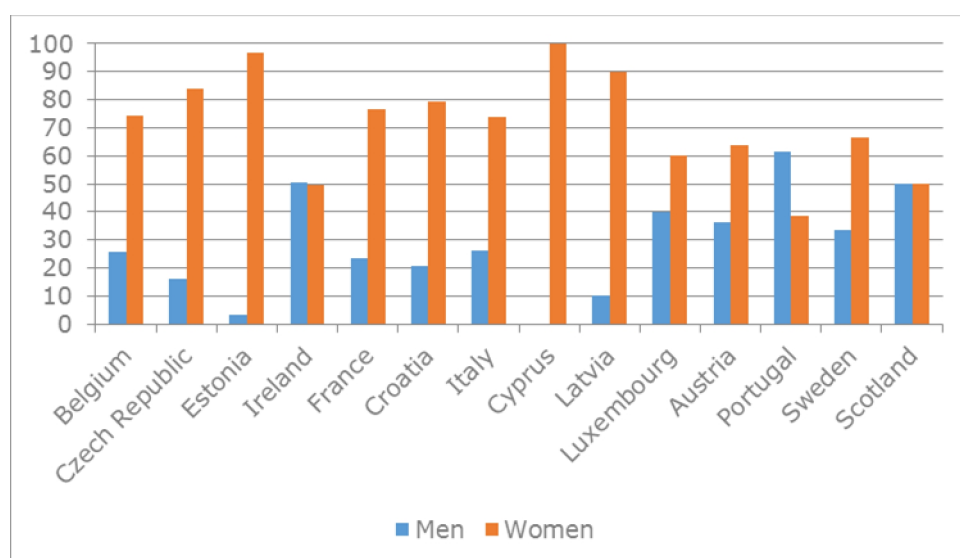
Figure 5.11: Staff Assisting Judges 2014, women and men



Source: Database from CEPEJ report

In countries with data on the post of **administrative staff** (responsible for various administrative duties and for management of the courts), this is also an occupation dominated by a female workforce. Numbers and sex-disaggregated data collection vary widely, from Poland with a total of 7,324 posts and no gender-related breakdown to Luxembourg with only five posts. In Cyprus, which has 8 administrative staff, all are female-held. Both Ireland and Scotland have a gender equal distribution of these roles, while in Portugal males occupy 61% (n=62) of these posts. In Luxembourg this picture is reversed, with females holding 60% (n=3) of administrative positions (Figure 5.12).

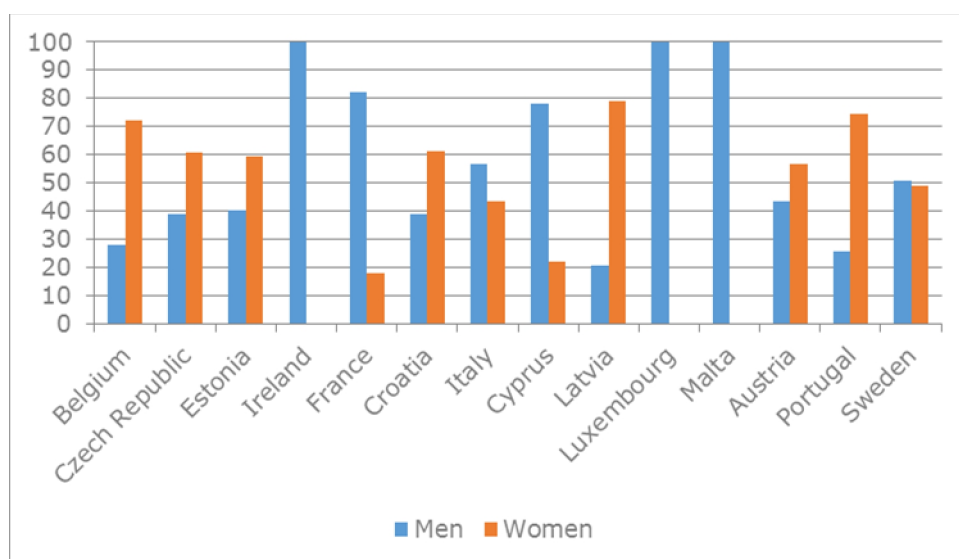
Figure 5.12: Administrative Staff 2014, women and men



Source: Database from CEPEJ report

Technical staff, overall are more gender-balanced, with an average of 57% males and 43% females holding such posts. However, this category is not as straightforward as might appear, as it includes technical staff responsible for IT equipment, security staff and cleaning staff – each of which has a distinctive gender profile. All figures are aggregated, making it impossible to carry out a sub-analysis of these data which would reveal the gendered profiles in each group. This point must be borne in mind, as it affects the interpretation of the gender balance that the overall figures convey. In addition, similar to data on administrative and other non-judge staff, these data are not collected systematically, and when collected, are not always sex-disaggregated (e.g. in the case of Lithuania and Poland). In three countries (IE, LU, MT), the technical staff is entirely comprised of males, though the numbers are small (IE n=1; LU n=1; MT n=9), indicating that country interpretation of ‘technical staff’ is limited to possibly IT technicians. In contrast, Belgium (72%), Latvia (79%) and Portugal (74%) have a predominantly feminised technical staff – though this most likely includes cleaners (Figure 5.13).

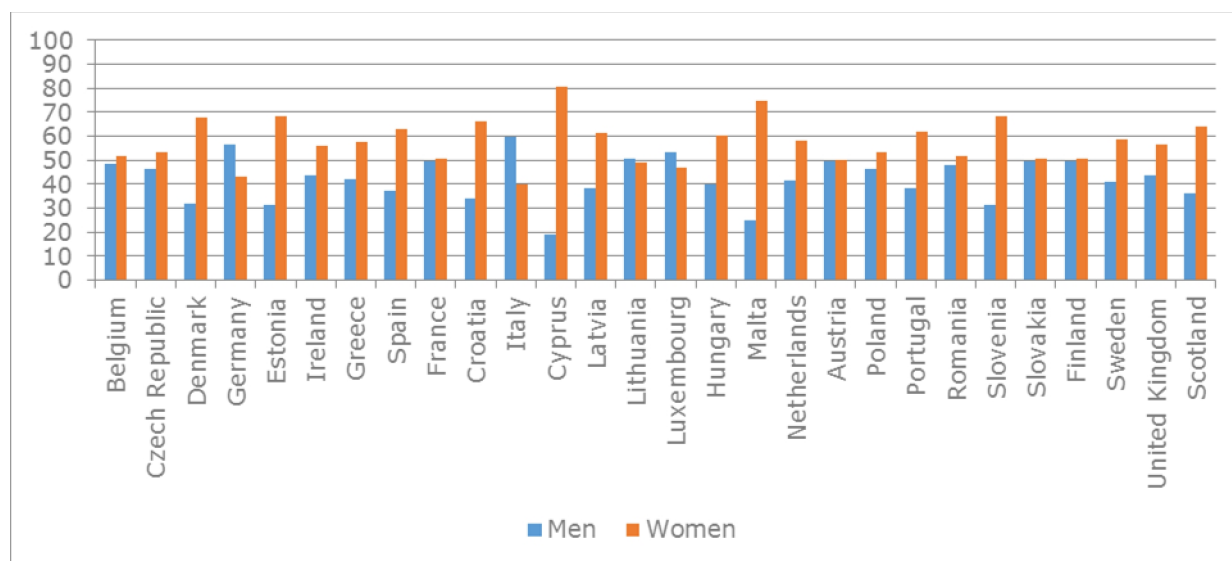
Figure 5.13: Technical Staff 2014, women and men



Source: Database from CEPEJ report

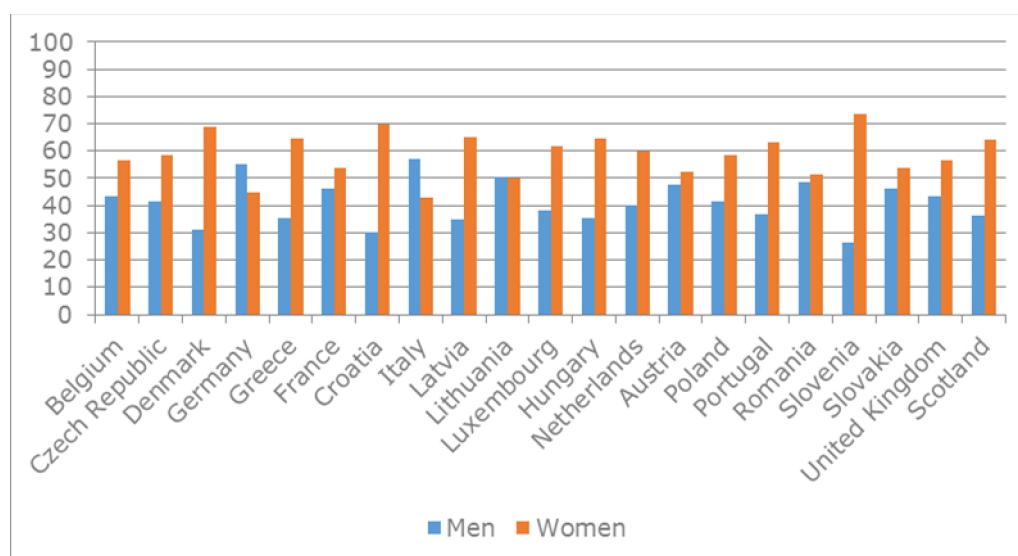
The next section examines the gender profile of **prosecutors**. The term ‘prosecutor’ – while carrying variations in duties from Member State to Member State – broadly encompasses the role of a public authority entrusted with qualifying and carrying out prosecutions. In all references to ‘prosecutor’, prosecutors in the Member State have a role in prosecuting criminal cases. Variations occur in the other areas of law (for example administrative or civil) and the autonomy of the public prosecution services. For the purposes of this study, the term ‘prosecutor’ encompasses all of these variations between Member States.

There is much more comprehensive data on this aspect of the legal profession, with information available comparable to that of professional judges. In general, prosecutor positions are relatively evenly distributed between males and females, with a moderate tendency towards female post-holding (2010, 53% female; 2012, 56% female; 2014, 58% female). Only in Cyprus is there a predominance of female prosecutors (81%, n=89), while in Malta the proportion of females holding this position has increased rapidly to 75% but on the basis of small numbers (from 5 to 9 females between 2010 and 2014). In Germany and Italy, the balance is in favour of males (DE 57%, IT 60%). In other EU Member States, the gender proportions are between a one-third male, two-thirds female ratio (Figure 5.14).

Figure 5.14: Public Prosecutors 2014, women and men

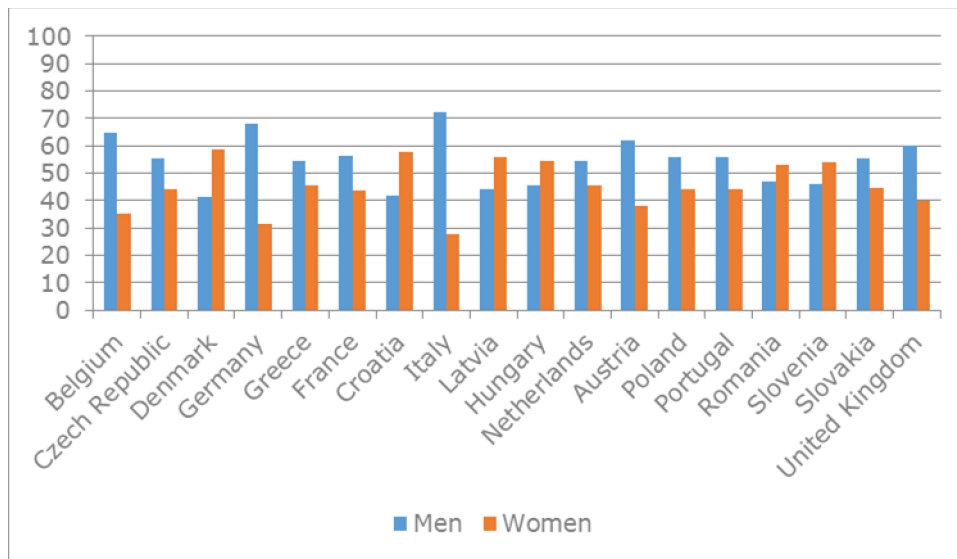
Source: Database from CEPEJ report

For **prosecutors in first instance courts**, male post-holding on average accounts for 41%, and females occupy the balance of 59%. This distribution is generally consistently held, except for Slovenia where females account for 74% (n=106) of first instance prosecutors, and Germany and Italy where more males hold these positions (Figure 5.15).

Figure 5.15: Public Prosecutors First Instance Courts 2014, women and men

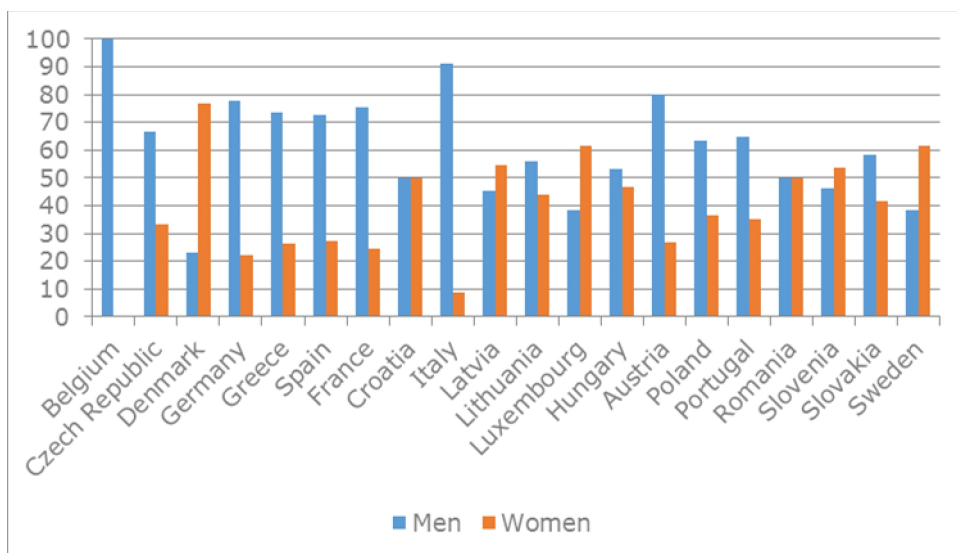
Source: Database from CEPEJ report

The gender profile is reversed for **prosecutors of second instance courts**, with male post-holding accounting on average for 55% of all positions in 2014, and females holding 45%. This is a similar pattern to that found for judges of second instance courts. Italy, Germany and Belgium are the significant outliers, with males constituting 71%, 68% and 65% respectively of all prosecutors in this category (Figure 5.16). Of interest over time is the pattern in Belgium, where the ratio between male and female post-holding decreased significantly between 2010 and 2014 from 71% male: 29% female to 65% male: 35% female.

Figure 5.16: Public Prosecutors Second Instance Courts 2014, women and men

Source: Database from CEPEJ report

At the **supreme court** level, however, male over-representation among prosecutors is intensified, with males comprising over 60% of all office-holders (2010, 63%; 2012, 66%; 2014, 61%). Belgium has an all-male prosecutor profile (n=13) at this level, followed by Italy where 92% (n=51) of prosecutors are male. Another three countries (AT, DE, EL) have above average levels of male prosecutors, and in the case of Austria, increasing over time. In Sweden, in contrast, the proportions of male prosecutors have decreased from 60% to 38% (though the numbers are low). In Denmark, the proportion of female prosecutors has been growing, and now dominate the field, at 77%. In Luxembourg, too, there is a small majority (62%, n=8) of female prosecutors at Supreme Court level, though again numbers are low and a change of one can distort the ratio (Figure 5.17).

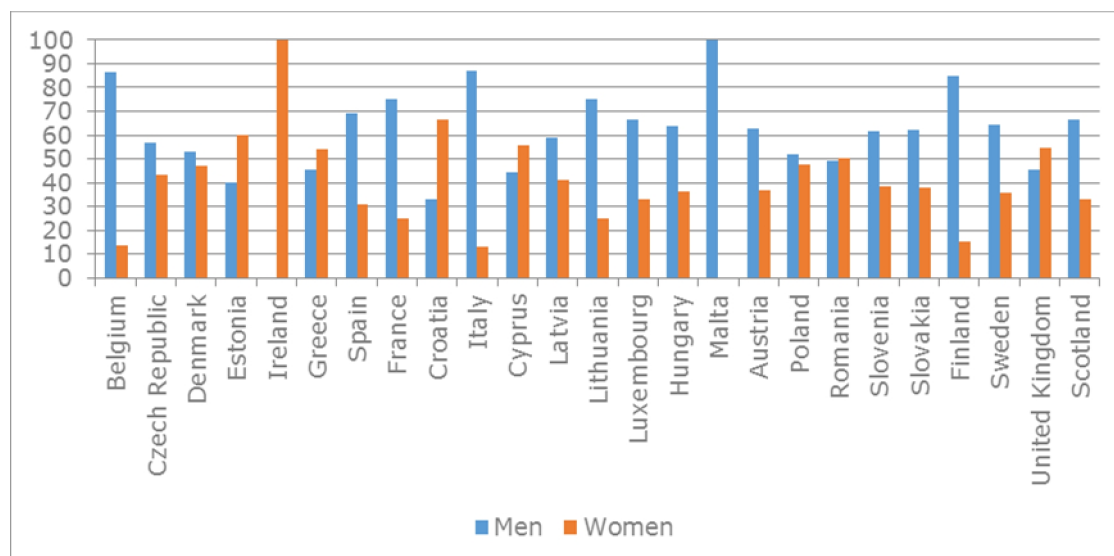
Figure 5.17: Public Prosecutors Supreme Court 2014, women and men

Source: Database from CEPEJ report

The **head of prosecution office** is a position of high legal authority, and it is no surprise that overall the post is male-dominated (2010, 66%; 2012, 41%, 2014, 40%). In Ireland,

where there is only one post of this kind, the position has alternated from male to female, and in Malta the single office is held by a male. In three countries (BE, FI, IT) over 80% of head prosecutors are male, and in the case of Belgium this is an increase based on a reduced number of posts: in other words, women lost out when posts were reduced. In Croatia, however, 67% of these posts are held by females (n=26) (Figure 5.18).

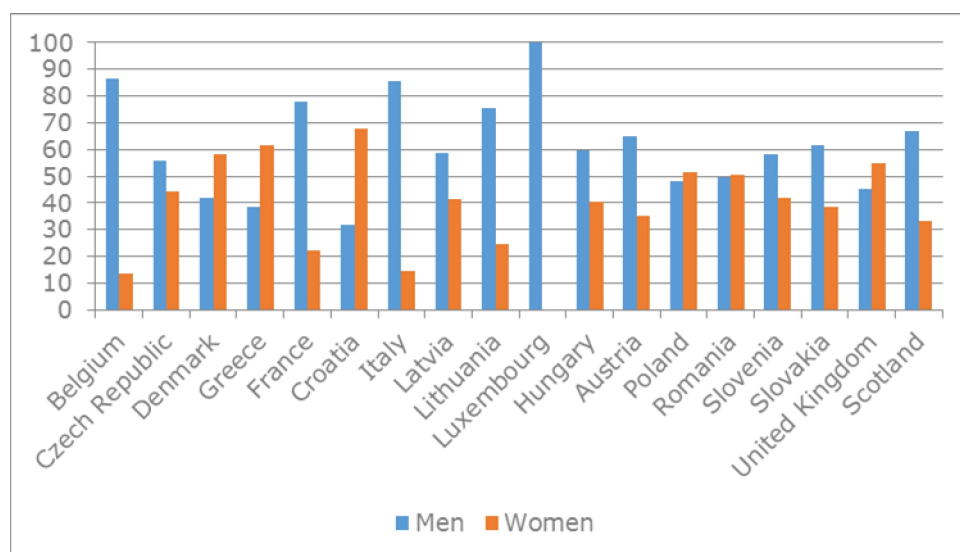
Figure 5.18: Head of Prosecutors' Office 2014, women and men



Source: Database from CEPEJ report

On average, the gender profile of **head of prosecution office for courts of first instance** is similar to the overall above, at about 62% male, 38% female. Three countries deviate significantly from this average, with males occupying over 80% of posts in Belgium and Italy, and 100% in Luxembourg (n=2). Croatia again comes to the fore as having a feminised prosecution office head profile, increasing from 54% female (n=6) in 2010 to 68% female (n=17) in 2014 (Figure 5.19).

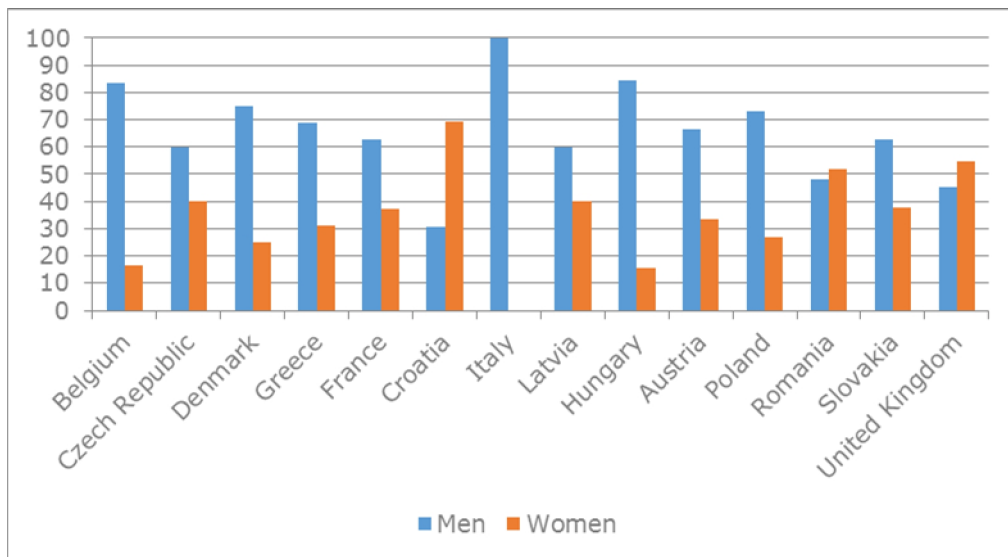
Figure 5.19: Head of Prosecution Office for Courts of First Instance 2014, women and men



Source: Database from CEPEJ report

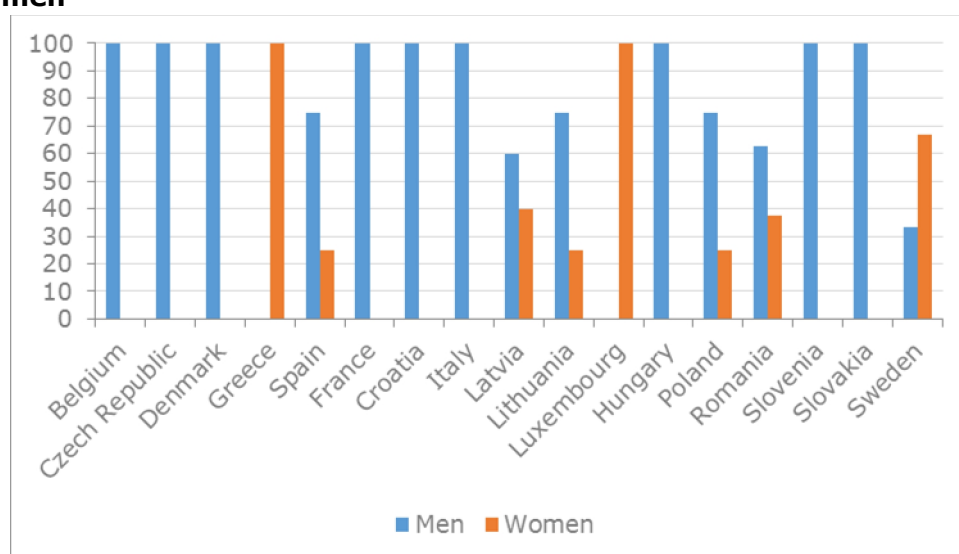
As the court level gets higher, the position of head of prosecution office becomes more male-dominated. This pattern becomes clear for the head in the prosecution office for the court of second instance, where males hold on average about 68% of posts (2010, 69%; 2012, 71%; 2014, 66%). In Belgium and Hungary, males occupy over 80% of these posts, and 100% in Italy (n=19) in 2014. Croatia's feminised legal workforce is apparent, again, with females holding 68% (n=9) of prosecution head offices, increasing from 54% in 2010 (Figure 5.20).

Figure 5.20: Head of Prosecution Office for Courts of Second Instance 2014, women and men



Source: Database from CEPEJ report

Finally, in this category of legal professions is the **head of the prosecution office of the supreme court**. In keeping with the gendered pattern of superior court employees, this is office is largely held by males (average 2010, 77%, 2012, 90%, 2014, 75%). Twelve countries reported one, or sometimes two, offices at this level, making it prone to gender swings when reporting aggregated information. There are nine male (BE, CZ, DK, FR, HR, HU, IT, SI, SK) and two (EL, LU) female heads in 11 reporting countries for 2014 (Bulgaria did not return information). Seven countries (ES, LT, LV, PL, RO, SE, SK) have multiple posts of this kind, with Latvia (n=10) and Lithuania (n=12) having the most heads of prosecution office for the supreme court. Only in Sweden is the gender balance reversed, with two females and one male holding this office (Figure 5.21).

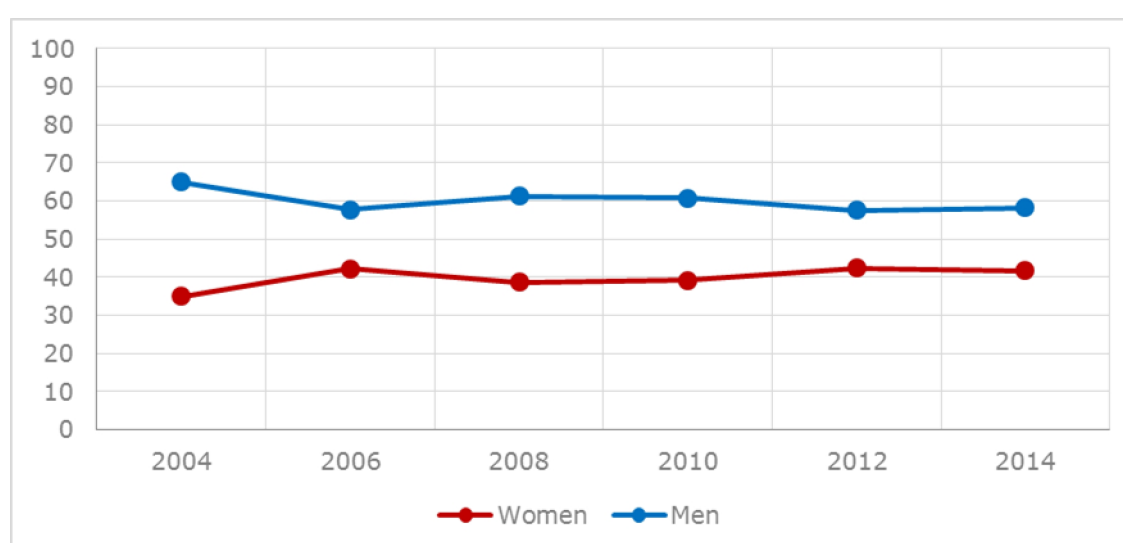
Figure 5.21: Head of Prosecution Office for Supreme Courts 2014, women and men

Source: Database from CEPEJ report

5.2.2. Lawyers

In this section we examine the gender pattern of the lawyer profession, drawing on data gathered by the Council of Bars and Law Societies of Europe (CCBE)⁹¹. Lawyers are taken to be members of the bar and law societies in the relevant Member State, as collected by the CCBE. It refers to all people registered as solicitors, advocates, barristers and lawyers in their respective Member State.

There has been a gradual increase overall in the proportion of females practicing as lawyers since 2004, rising from 35% to 43% in 2015. Figure 5.22 shows the gender gap narrowing over time.

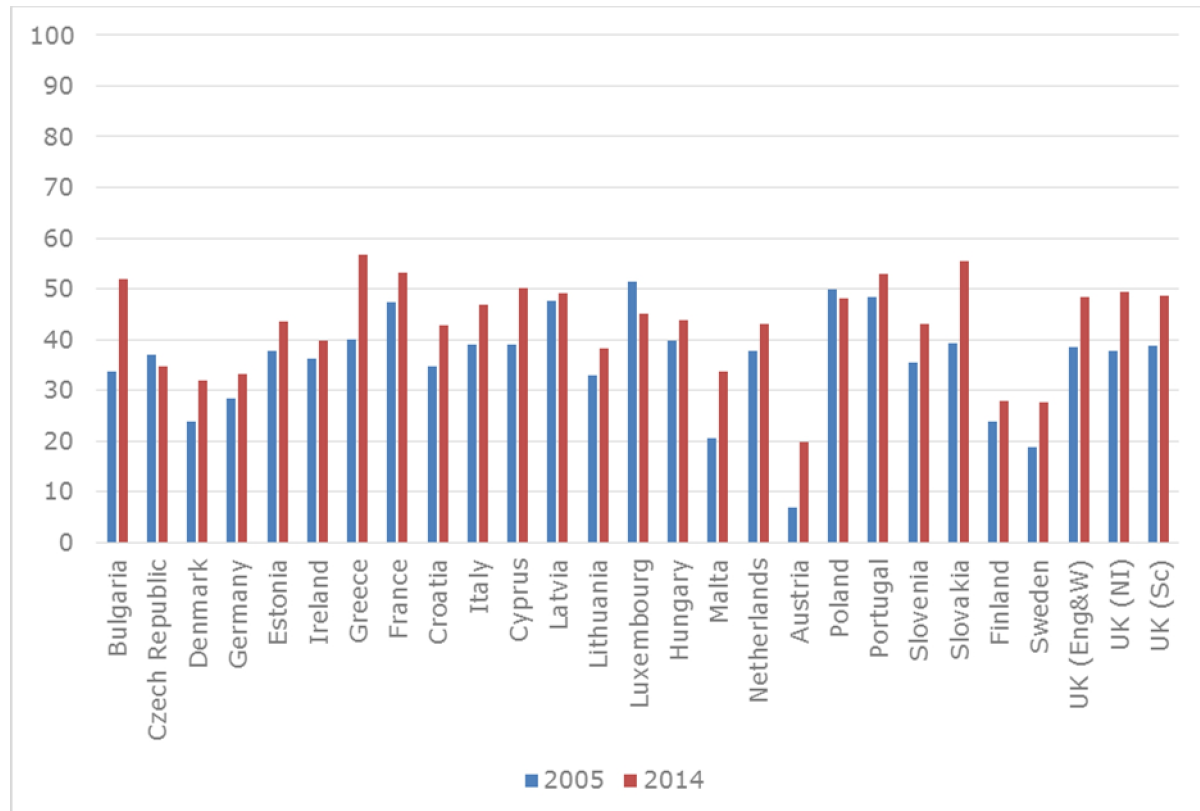
Figure 5.22: Members of the Bar in the European Union 2004-2014, women and men

Source: Database drawn from CCBE Lawyers' Statistics, all years.

⁹¹ Data available at <http://www.ccbe.eu/actions/statistics/>

Figure 5.23 illustrates that the increase has occurred in almost all countries reporting sex-disaggregated data. The largest proportional increases of female lawyers were in Bulgaria (+18%), Greece (+17%), Slovakia (+16%), bringing gender equality in representation. In Austria too, there was a proportional increase of +13%, though as it was from a low base, the growth delivered a 20% share of lawyers to women, the lowest in the EU.

Figure 5.23: Female members of the Bar in the European Union 2005 and 2014



Source: Database drawn from CCBE Lawyers' Statistics, all years. Note: The statistics for Ireland do not include solicitors regulated by the Law Society of Ireland (only bar members). The gender indicator is not mandatory for registration in the Spanish Bar. 34,414 members have not expressed their gender in 2014.

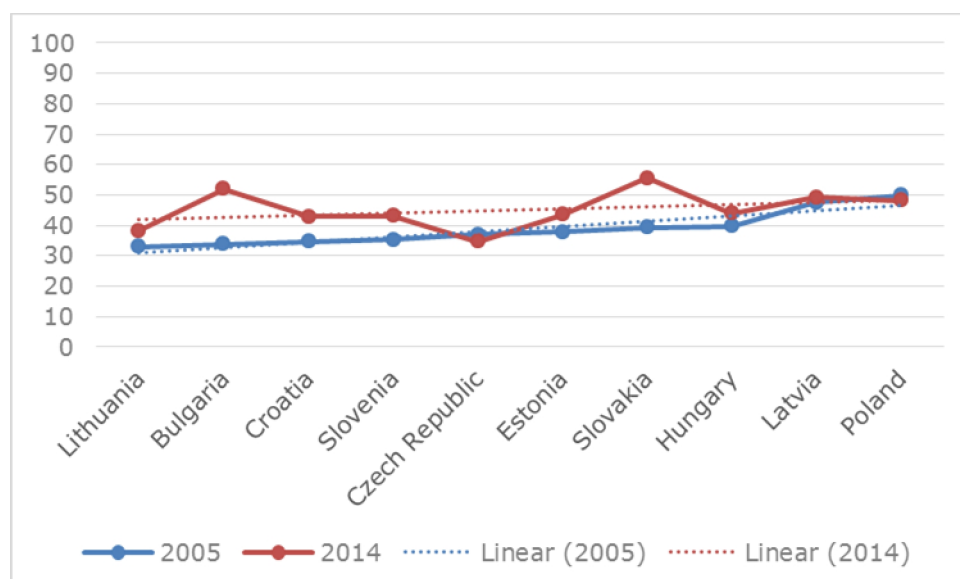
It is worth examining the general trends over time, by historical and recent legal tradition. This brings some further clarity to the gendered patterns of lawyers as a profession. Looking at female lawyers in Central and Eastern Europe, it is clear that, despite differences in individual countries, the proportional range of female lawyers is in the 30-50% band (Figure 5.24a). In contrast, countries in the western civil law tradition show a much wider spread of proportionality, from 10-55%. This indicates the wide variability in access for females to the bar (Figure 5.24b). Countries with a common law tradition show a pattern that is more similar to that of the Eastern European experience, and even more stable, with the proportions ranging from 35%-50% (Figure 5.24c). In all categories, though, it is clear that the movement has been upward – with some notable exceptions females have made notable progress in entering the bar councils and practicing law since 2004.

Box 5.1: Women solicitors in Ireland

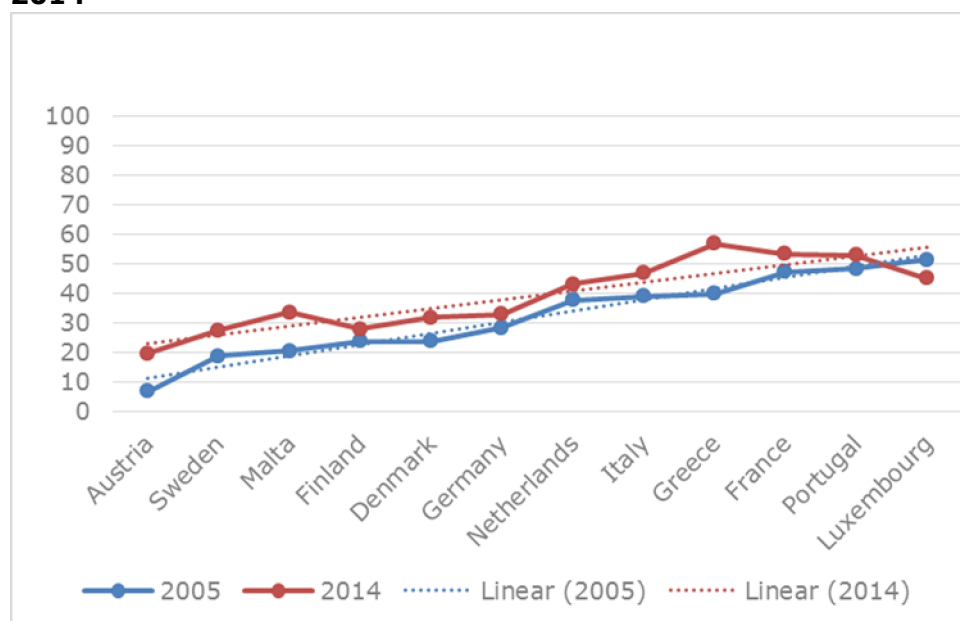
In Ireland, as in the UK, there is a distinction between members of the Bar and Law Society practitioners, although the term 'lawyer' covers both groups. The Law Society practitioners are more accurately described as solicitors, who do not practice at the Bar but conduct all other legal matters. In 2014, the number of female solicitors (4,623) registered by the Law Society exceeded that of males (4,609) for the first time. This pattern has been evident since 2005, when there were 3,053 females and 3,960 males practicing as solicitors. In 2010, the gender gap closed further, with 3,924 females and 4,402 male solicitors registered.

Reference: Kelly, Teri (2015). 'Profession's Perfect Parity', Law Society Gazette pp. 20-21, <https://www.lawsociety.ie/globalassets/documents/gazette/equality.pdf>

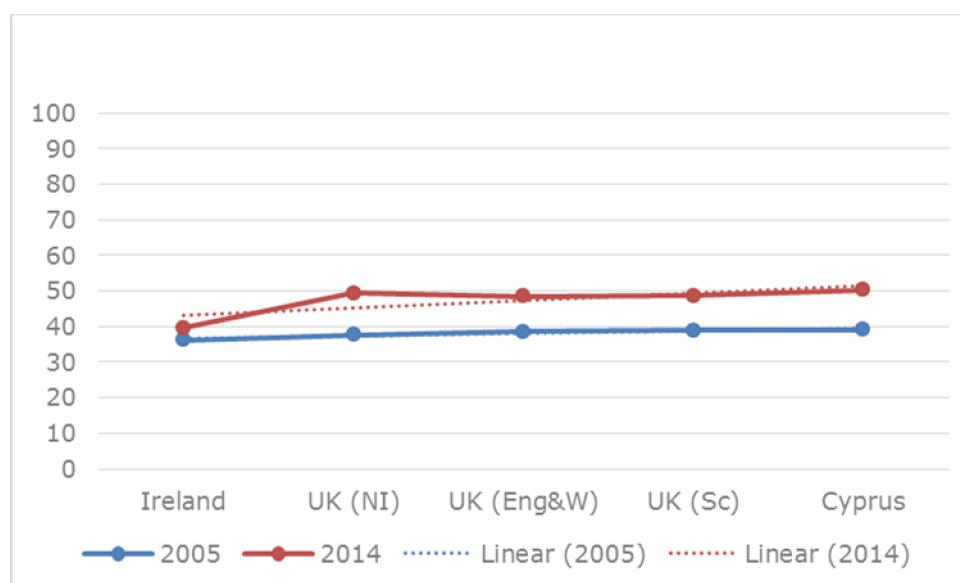
Figure 5.24a: Female lawyers in Eastern Europe 2005 and 2014



Source: Database drawn from CCBE Lawyers' Statistics, all years.

Figure 5.24b: Female lawyers in Civil Law Countries in Western Europe 2005 and 2014

Source: Database drawn from CCBE Lawyers' Statistics, all years.

Figure 5.24c: Female lawyers in Common Law Countries 2005 and 2014

Source: Database drawn from CCBE Lawyers' Statistics, all years.

Gender distribution in different fields of law, part-time/full-time breakdown and partners in law firms

Comprehensive and reliable cross country statistics regarding the different areas of law that lawyers are working in do not exist so far. Information on this topic therefore remains sketchy and relies on ad hoc initiatives. The Policy and Research Unit of the International Bar Association⁹² (IBA), for instance, conducted recently an international research study to

⁹² See their website : <https://www.ibanet.org/>. The study report is scheduled to be finalised in the course of 2017. The survey was not only conducted among IBA members (80,000 individual lawyers and more than 190

address diversity within the legal profession. The aim of the survey was to obtain quantitative data and confirm trends in progression of both male and female lawyers, and produce a report outlining practical measures which can be implemented to address the causes of high attrition rates among women lawyers, and re-engage women lawyers who have left the profession. The IBA kindly shared their rough data with us, so that it is possible to present below an – even though somewhat sketchy – overview of the gender distribution in Europe in different fields of law, the part-time/full-time breakdown in the profession and the percentage of women principals/partners in law firms.

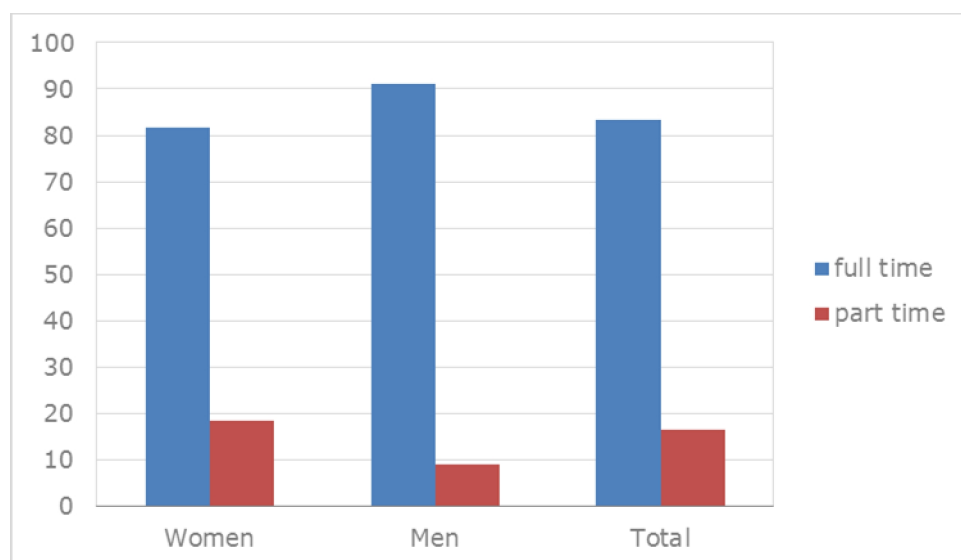
The data below relies on 1,572 responses which were indicating that their main place of work is within an EU country.⁹³

Part-time/full-time breakdown

There were 1,271 responses from women in regards to full-time or part-time working schedule, and 301 responses from men. Of the 1,271 responses from women, 18% work part-time, and the remaining 82% were full-time.

The part-time proportion is approximately half for men. 9% of male respondents noted that they work part-time, with 91% responding that they work full-time. This is compared with a 16.5% average part-time proportion, and 83.5% full-time.

Figure 5.25: Proportion of part-time and full-time employment for females, males and in total



Source: IBA survey.

Percent of women principals/partners in law firms

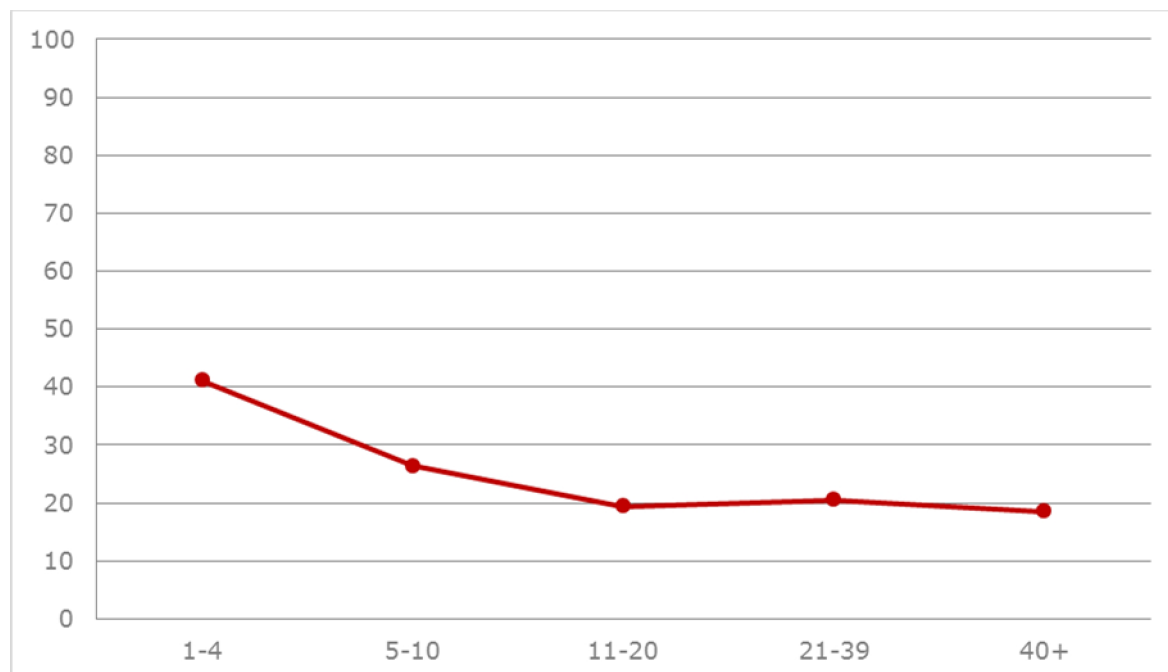
As the number of partners in a law firm goes up, the proportion of women decreases. In law firms with 1-4 partners, the average proportion of women in these positions is 41.1%,

bar associations and law societies spanning over 160 countries), but was also open to a wider audience and networks within the profession; 1,572 of responses came from lawyers working in the EU.

⁹³ Member State response breakdown: Austria, 24; Belgium, 33; Croatia, 5; Cyprus, 4; Czech Republic, 26; Denmark, 64; Finland, 51; France, 54; Germany, 105; Greece, 7; Hungary, 9; Ireland, 3; Italy, 41; Latvia, 9; Lithuania, 10; Luxembourg, 25; Malta, 22; Netherlands, 181; Poland, 24; Portugal, 14; Romania, 12; Slovakia, 7; Slovenia, 4; Spain, 262; Sweden, 172; United Kingdom, 399.

and in law firms that have more than 40 partners, the average proportion is 18.4%. There are 26.4% of women partners in law firms with 5-10 principals, 19.4% in 11-20, 20.5% at 21-39, and 18.5% when there are 40 or more partners. The total average proportion of women is 25.2% of principals/partners.

Figure 5.26: Proportion of female partners/principals by size of firm



Source: IBA survey.

Top three areas of law

The top three responses of the areas of law that each respondent most frequently works in were Civil Litigation, Commercial Law and Corporate Law.

- Civil Litigation – 30.3% (n=385/1,271) of female respondents said that this was one of the areas that they primarily work in, while 48.2% (n=145/301) of males did.
- Commercial Law – 31.7% (n=403/1,271) of women respondents said that they practice Commercial Law, while 43.2% (n=130/301) of men respondents did.
- Corporate Law – 32.7% (n=415/1,271) of women respondents said that Corporate Law was one of the areas of law that they mainly practice, in comparison with 39.2% (n=118/301) of male respondents.

For male respondents that said that Civil Litigation was one of their main areas of work, 89.7% were on a full-time basis. This is in comparison with 80.5% of females. For male respondents that said that Commercial Law was one of their main areas of work, 94.6% said that they do this on a full-time basis. This is in comparison with 82.6% of female respondents. For male respondents that said that Corporate Law was one of their main areas of work, 94.1% do so in a full-time capacity. This is in comparison with 85.3% of women.

5.2.3. Notaries

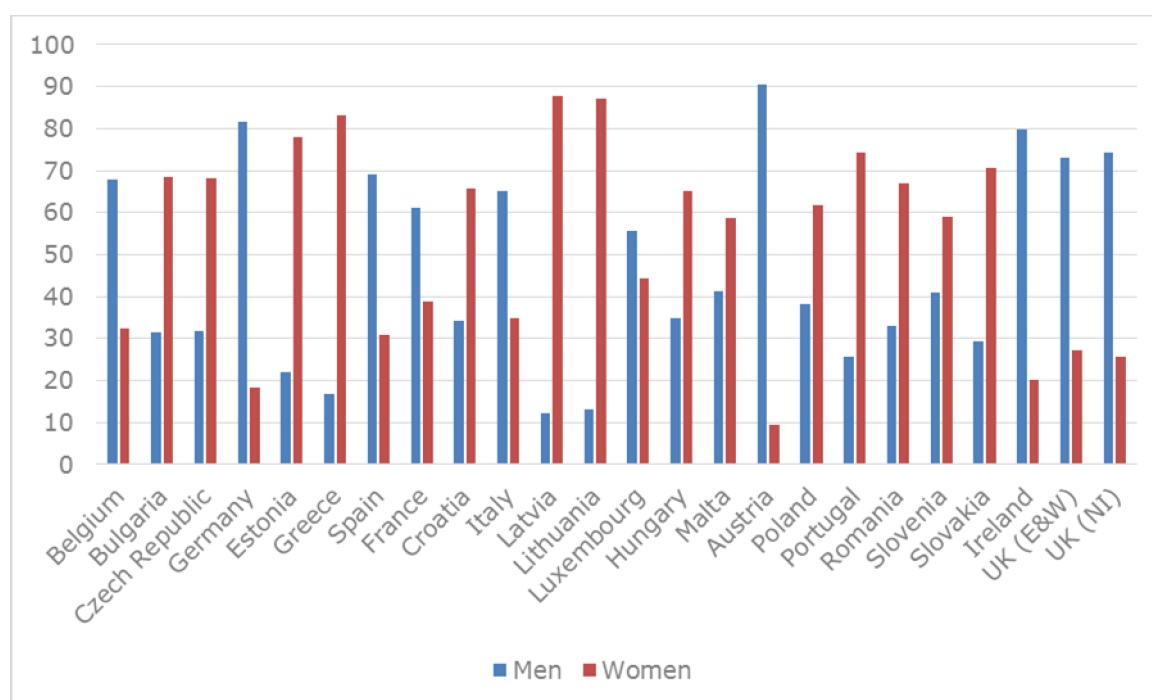
Notaries in Europe fall under two main distinctions – that of a notary in countries governed by civil law, and that of a notary public in countries governed by common law. In Civil Law Countries, their “essential mission is to confer authenticity on the legal instruments and contracts they establish for their clients in areas of law as diverse as marriage contracts, company statutes, will real estate, etc.”⁹⁴ In Common Law Countries, a notary public’s duties are somewhat different, and are generally more limited than that of a civil law notary. For the purposes of this report, a distinction has been made when referring to notaries in Common Law countries and Civil Law countries, and this should be in mind when using the data comparatively.

As discussed in the methodology chapter of the report, data concerning notaries was collected using a mixed approach. In the analysis of this data below, it is highlighted that information was collected via survey and only in cases that this was not returned is data based on an online CNUE database and national notary websites. Member States included who did not return a survey are Czech Republic, Ireland, Luxembourg, Poland, Portugal, Romania, England and Wales and Northern Ireland.

In Common Law Countries (IE, UK-E&W, UK-NI), the notary profession is predominantly male, with approximately 75% males (n=796) and 25% females (n=270) in these roles. This pattern is more varied in the case of Civil Law Countries, where the average proportions show this role to be more evenly distributed among the two genders (average 43% male; 57% female). However, this overall ratio hides wide variations between countries. Eleven Member States, mostly in the eastern part of the EU (BG, CZ, EE, EL, HR, HU, LT, LV, PL, PT, SK) have a highly feminised notariat that ranges from 87% female in Latvia and Lithuania and 83% in Greece to 61% female in Poland.

In contrast, notary posts in Civil Law Countries in the western part of Europe (AT, BE, DE, ES, FR, IT) are highly likely to be held by males – in Austria 91% of the notary positions are occupied by males, and 82% in Germany, while in France this is 61%. Only in Luxembourg, Malta and Slovenia is there gender balance among the notary profession (Figure 5.27).

⁹⁴ CNUE – Council of Notaries Europe.

Figure 5.27: Proportion of Notaries 2016, women and men

Source: Contractor's survey of Chambers of Notaries Jan-March 2017; Data for LU, CZ, PL, PT and RO is based on: <http://www.notarypublic.ie/>; <https://www.thenotariessociety.org.uk/>; <http://www.notariespublic-ni.org.uk/notary-public-members>; <http://www.notaries-directory.eu/> (accessed March 2017).

Governance of the notarial profession is male dominated. In 2010 five of the 15 countries reporting sex-disaggregated data for **president of the Notary Chamber** had female presidents (33.3%) (BE, EE, LT, NL, SI). By 2016, this had decreased to four (20%) from 20 reporting national Chambers (HR, LT, RO, SI).⁹⁵ Female representation in other leadership posts in the profession is somewhat higher, with women holding 40% of vice-president positions in 2016 (39% in 2010), and 33% of the board positions in professional notarial organisations (35% in 2010). In 2016, more females than males were board members in four countries (BG, EE, HR, LT), and in two there was an equal balance of male and female board members (MT, SI). One can observe that five of these six countries are ones with a legacy from the eastern part of Europe. In more general terms, though, the total number of notaries has increased over the six-year period, but the gender distribution in professional leaders has not altered.

5.3. Overview of the situation of gender equality in legal education

The subsequent data on students is based on information collected by EUROSTAT. The data on professors in law is based on She Figures⁹⁶, the European Commission's database on gender equality in research and innovation.

5.3.1. Students, graduates and doctorates of law in EU Member States

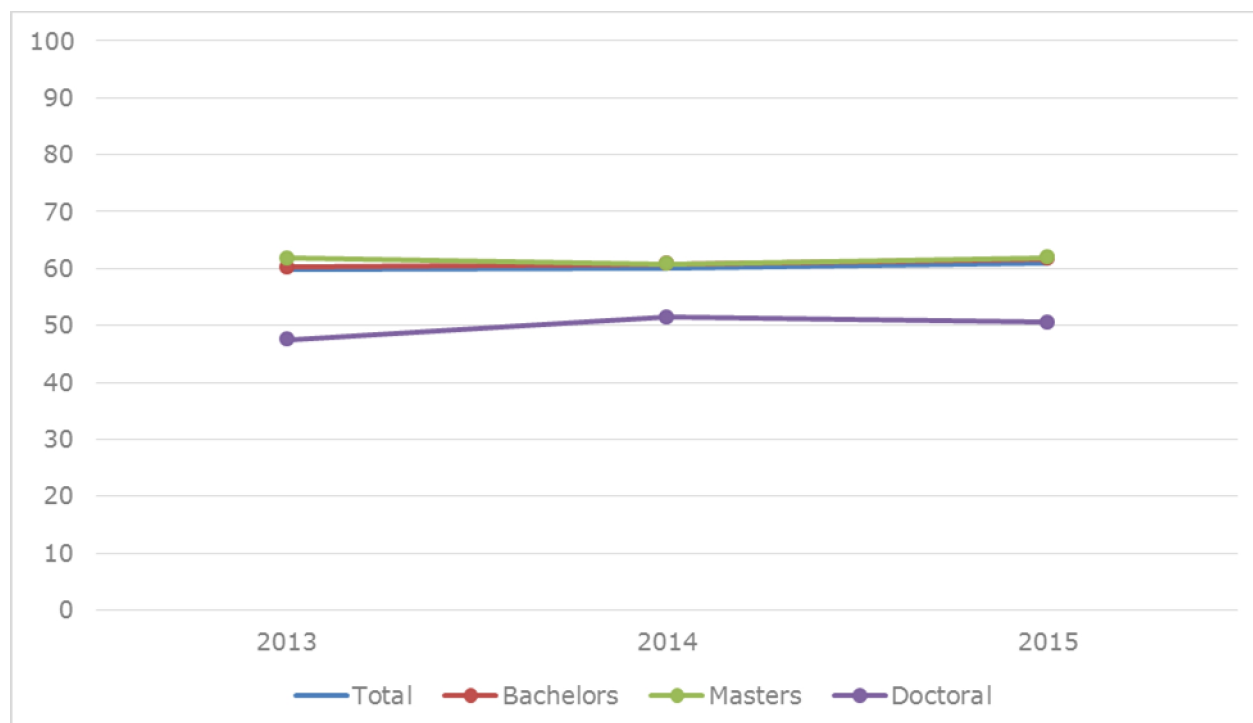
The average proportion of female law **students** in total in 2013 was 59.9%, rising to 60.1% in 2014 and 60.9% in 2015. Bachelors and Masters students for these years had similar average proportions. The proportion of female doctoral students of law was 47.6% in 2013, 51.5% in 2014 and 50.6% in 2015.

⁹⁵ Data drawn from the Contractor's survey of Chambers of Notaries, Jan-March 2017.

⁹⁶ The most recent publication is She Figures 2015. Available at :

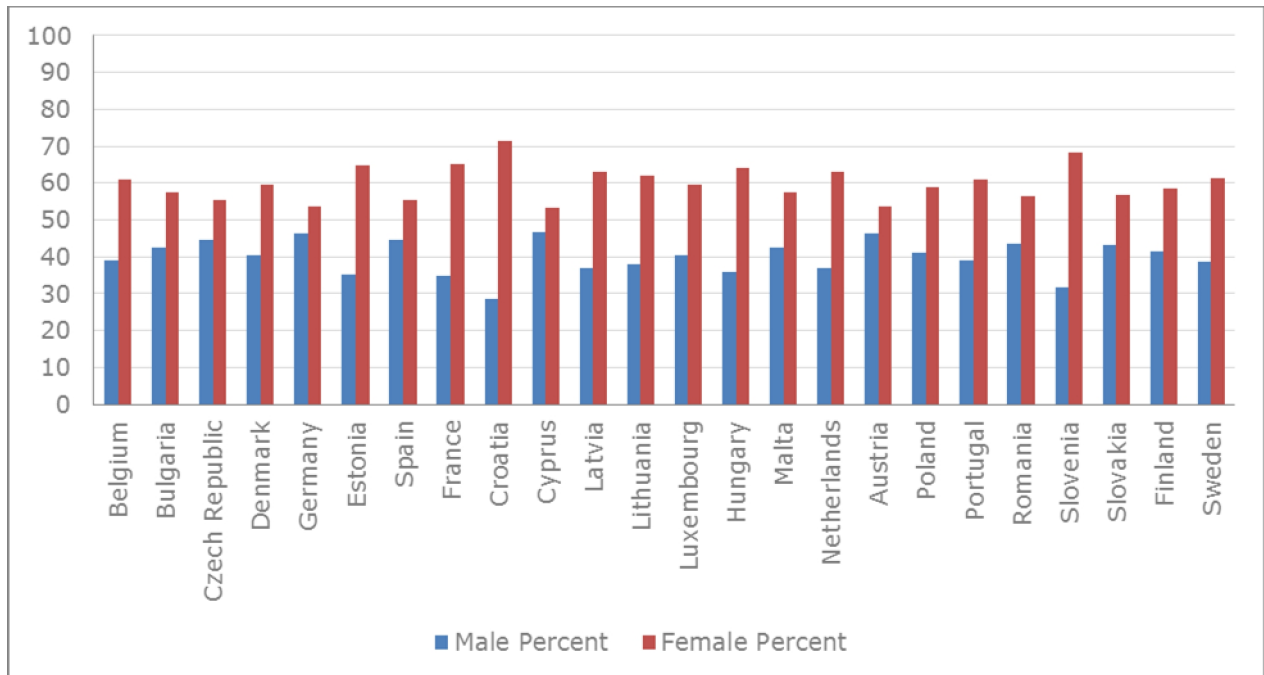
There were more women than men studying law in total in all Member States in 2013, 2014 and 2015.

Figure 5.28: Average proportion of law students who were women in 2013, 2014 and 2015 in EU Member States

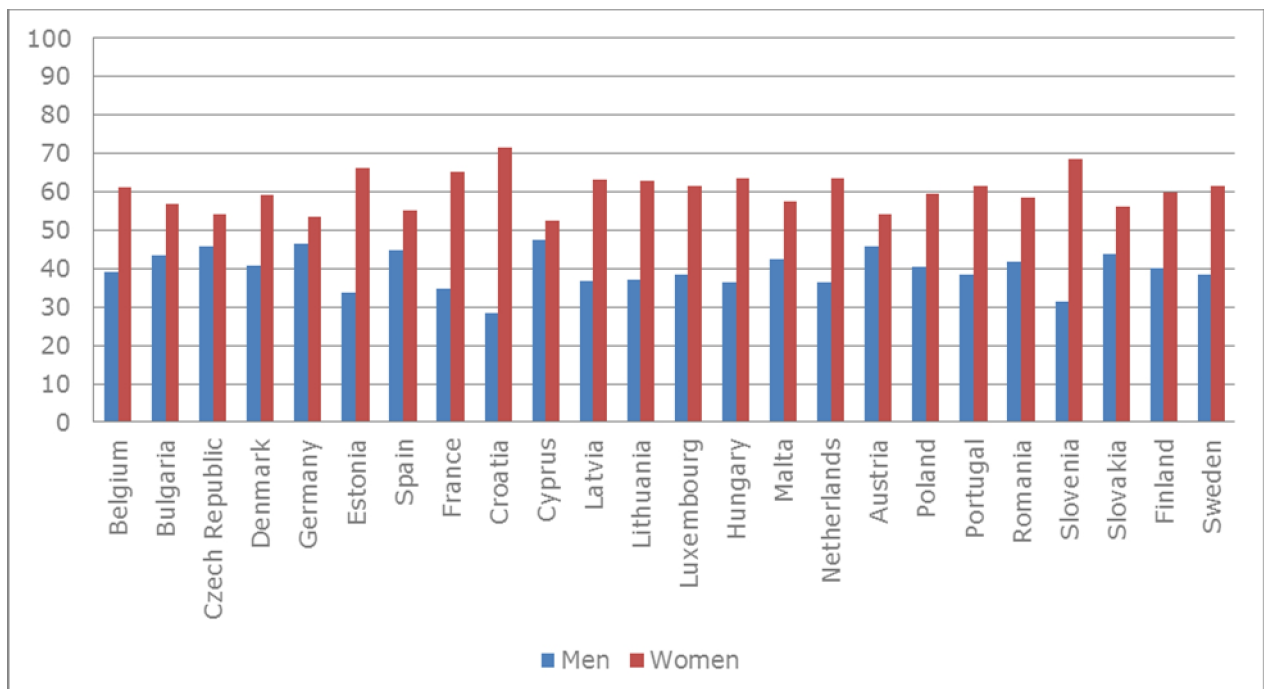


Source: Eurostat.

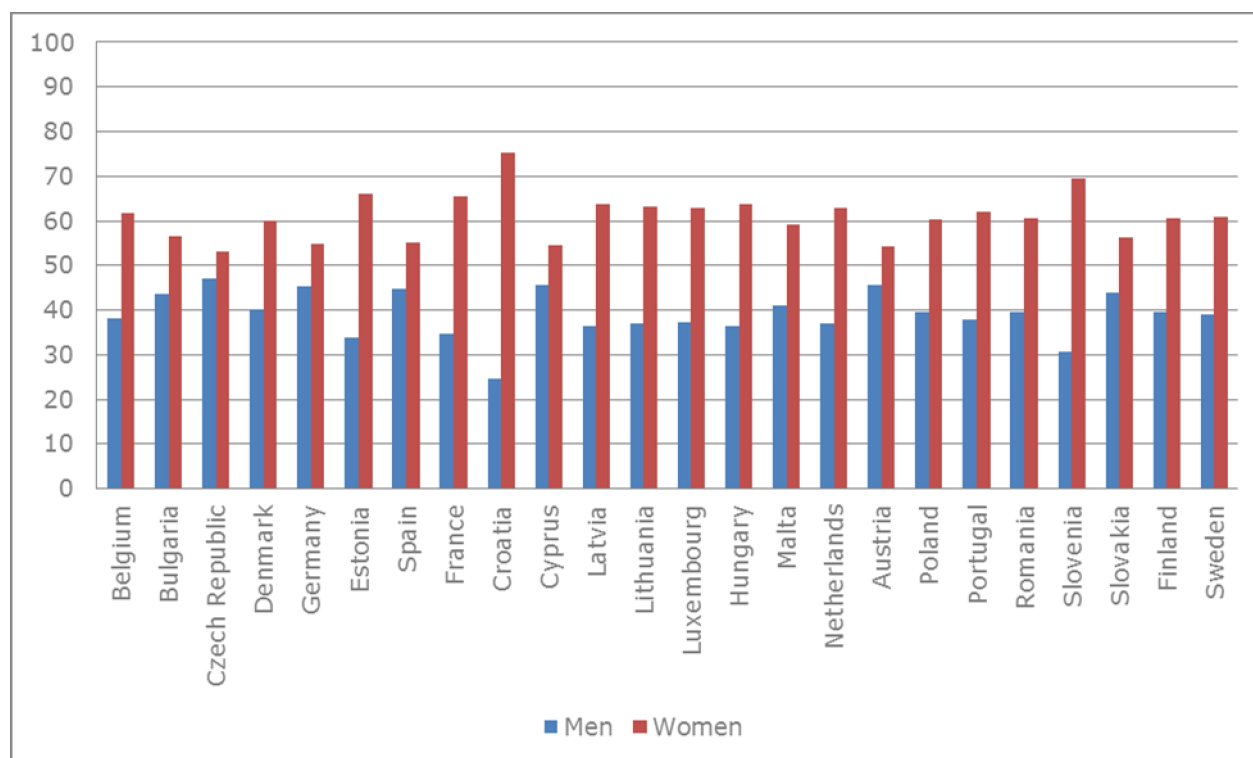
In 2013, 7 of the 24 Member States for which information was available for had over 25% more women studying law than men (EE, FR, HR, HU, LV, NL and SI). In 2014, this was true for the same 7 Member States as well as Lithuania. In 2015 it was true for the same 8 as in 2014, as well as Luxembourg.

Figure 5.29: Proportions of women and men law students in 2013 in EU Member States

Source: Eurostat 2013.

Figure 5.30: Proportions of women and men law students in 2014 in EU Member States

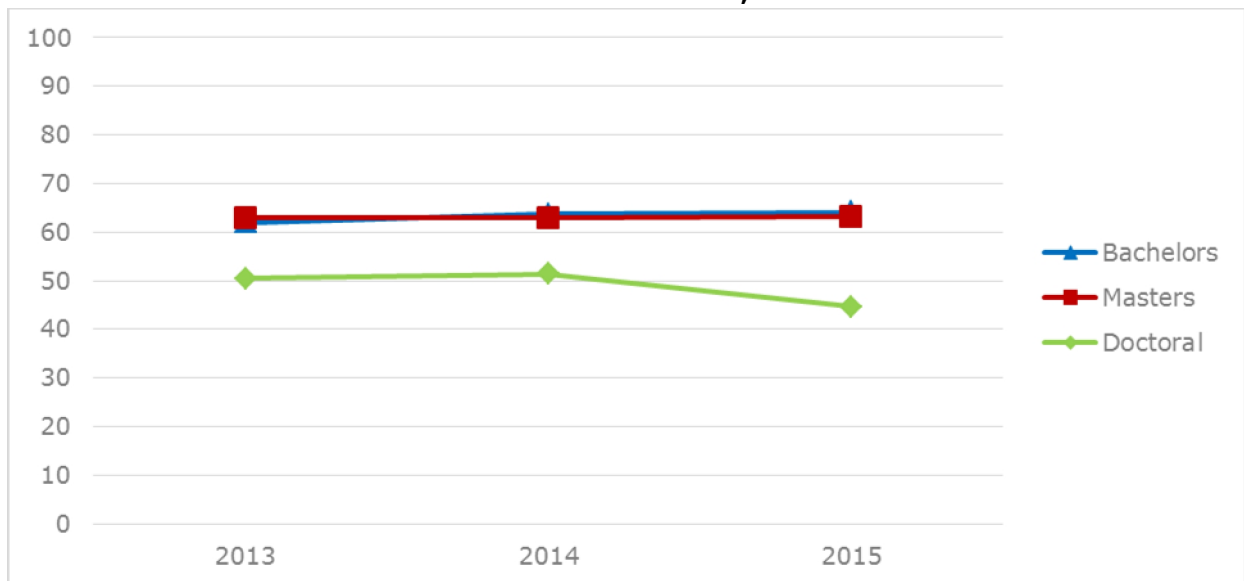
Source: Eurostat 2014.

Figure 5.31: Proportions of women and men law students in 2015 in EU Member States

Source: Eurostat 2015.

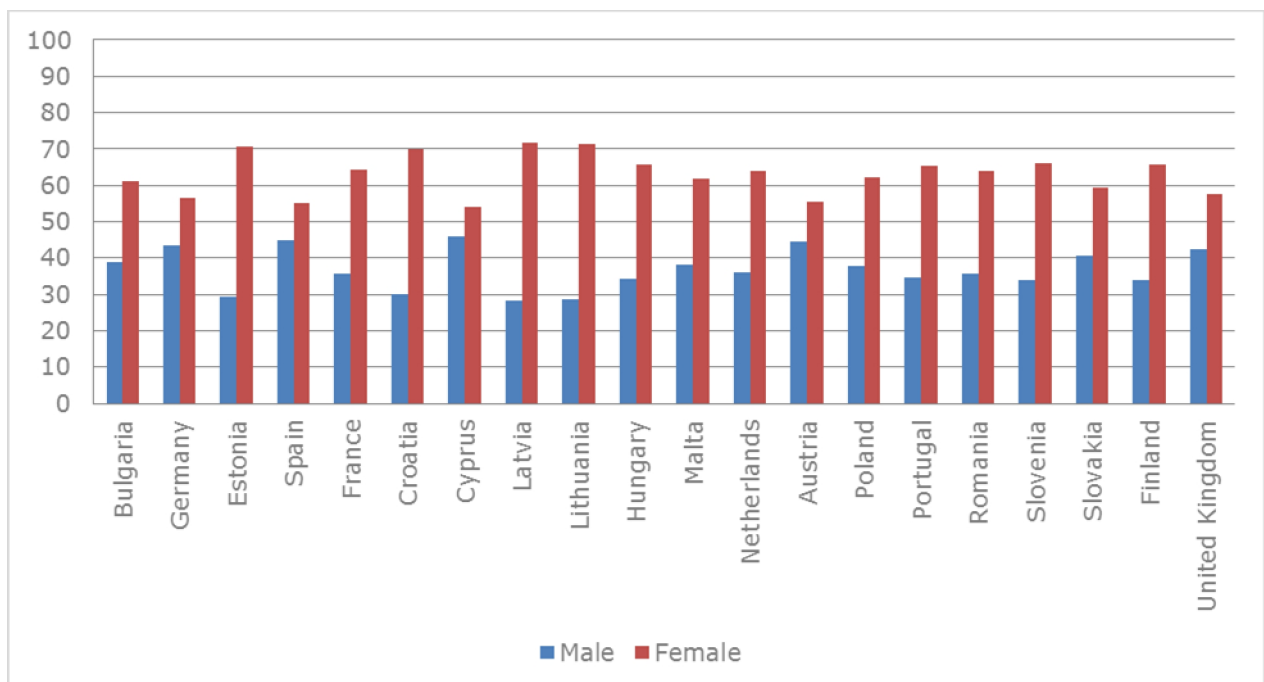
The average proportion of female **graduates** of law at Masters level was 62.9% in 2013, 62.8% in 2014 and 63.1% in 2015. These figures are very similar to that at Bachelors level (62% in 2013, 63.7% in 2014, and 64.1% in 2015). This points to the fact that there is no significant loss of students in the second stage of legal education (see Figure 5.32).

The average proportion of female graduates at a Doctoral level in 2013 was 50.5%, 51.3% in 2014 and 44.6% in 2015. The average proportions are similar to the average proportions of students for the same year, with the exception of the significant drop in the proportion of doctoral graduates in 2015 (see also Figure 5.32).

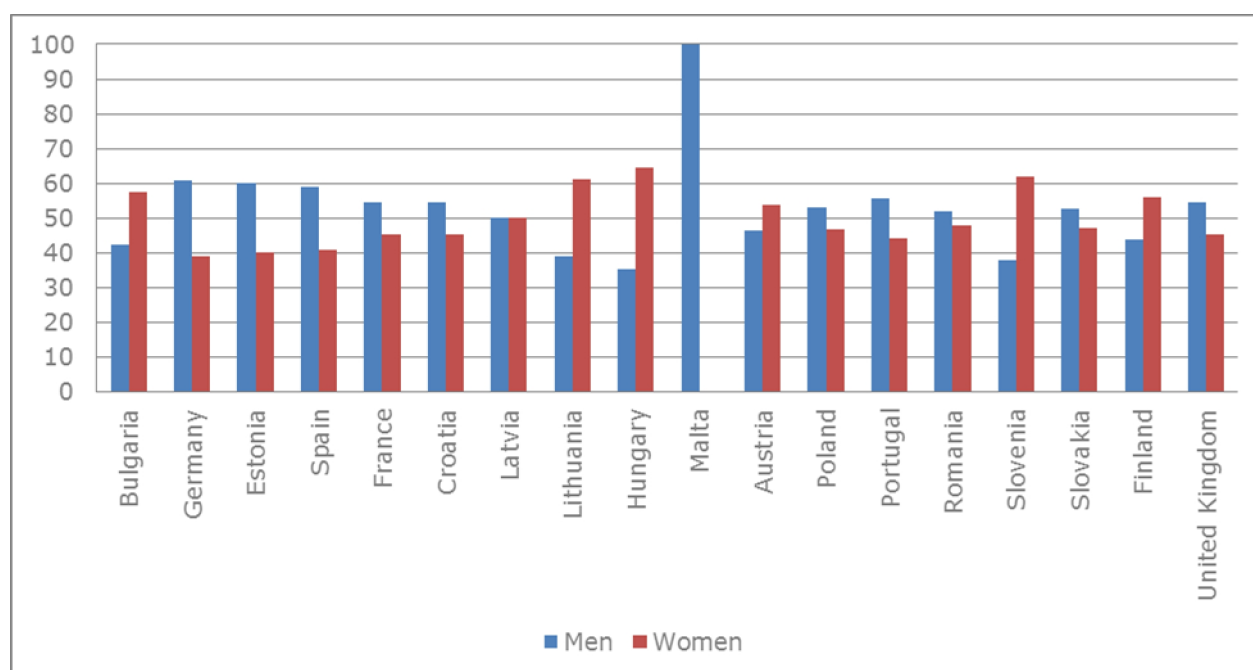
Figure 5.32: Average proportion of females graduating in law at Bachelors, Masters and Doctoral levels in EU Member States, 2013-2015

Source: Eurostat.

In all European Member States there are significantly more women law graduates than men. In the Baltic States the ratio is even around 70% women to 30% men (see Figure 5.33). However, when it comes to doctorates the situation looks very different. In the majority of countries more men graduate at a Doctoral level than women (DE, EE, ES, FR, HR, MT, PL, PT, RO, SK, UK). Women are a majority in AT, BG, FI, HU, LT and SI (see Figure 5.34).

Figure 5.33: Proportion of women and men graduates of law (Masters) in 2015 in EU Member States

Source: Eurostat.

Figure 5.34: Proportion of women and men graduates of law (Doctoral) in 2015 in EU Member States

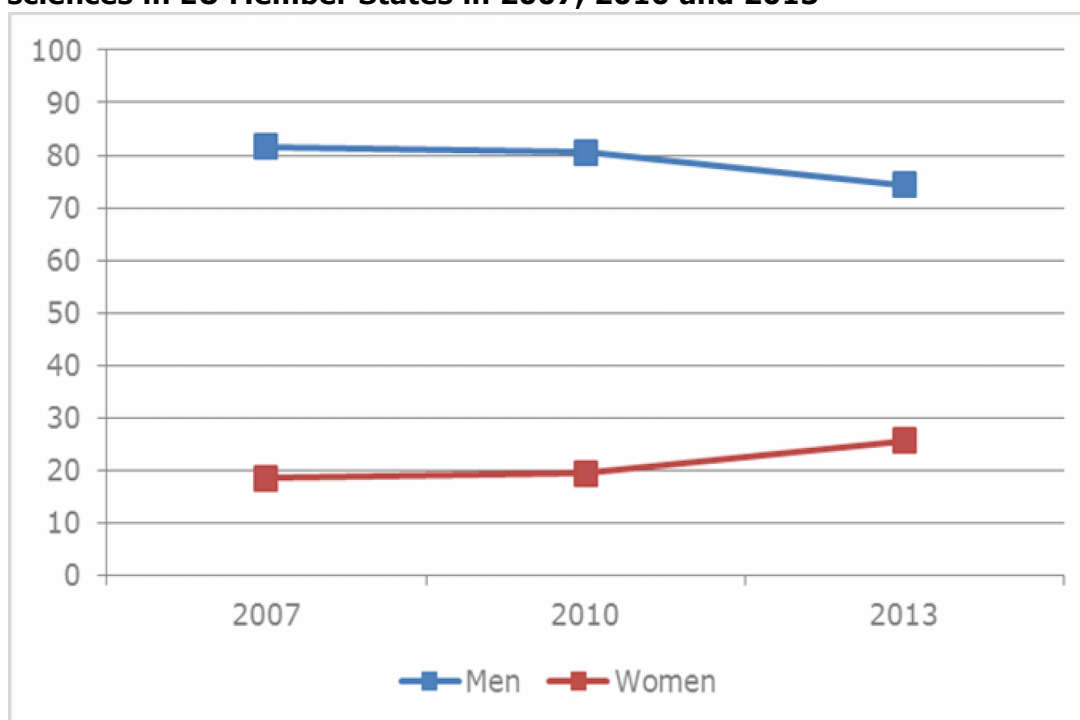
Source: Eurostat.

5.3.2. Professors

Since there is so far no comparative data collection on law professors (and other teaching staff) on EU level, the data included in this report had to rely on data provided by She Figures. This data, however, includes law professors in the 'social sciences' category. The definition of social sciences followed by She Figures is that found in the Frascati Manual which covers 9 disciplinary areas – Psychology and cognitive sciences, economics and business, education, sociology, law, political science, social and economic geography, media and communications and other social sciences. Consequently, it is not possible to separate out the law data from that of the other disciplines and data below refers to 'social sciences'.

In 2007, women professors made up an average proportion of 17.2% of all professors in the sciences in the EU Member States, while women professors in the social sciences made up 18.5%. In 2010, women professors made up an average proportion of 17.2% of all professors in the sciences in the Member States. Women professors in the social sciences made up 19.4%. In 2013, women professors in the social sciences made up 25.6%. The average total proportion was 22.5%. The proportion of women professors in the social sciences rose in all 3 years of available data. The proportion rose by 7.1% between 2007 and 2013.

Figure 5.34: Average proportion of women and men professors in the social sciences in EU Member States in 2007, 2010 and 2013



Source: She figures 2015.

6. CONSULTATION WITH STAKEHOLDERS

6.1. Survey among European associations

In addition to the collecting quantitative data as described above, a broad consultation of relevant stakeholders was conducted, using a survey/questionnaire approach. The aim was to get the opinion of European stakeholder organisations on the gender situation in the legal professions, existing gender imbalances and underlying reasons, as well as possible ways of tackling the challenges. The development of modular questionnaires was informed by the prior analysis of the stakeholders' websites. Based on this analysis, the questionnaire was tailored to each organisation and, when relevant, included data requests and/or questions related to the training of legal practitioners and/or questions on the gender situation at law firms.

The questionnaire was sent to the following European associations for legal professions (stakeholders):

- Academy of European Law (ERA);
- Association of the Councils of State and Supreme Administrative Jurisdictions of the EU (ACA-Europe);
- Council of Bars and Law Societies of Europe (CCBE);
- Council of the Notaries of the European Union (CNUE);
- European Network of Councils for the Judiciary (ENCJ);
- European Judicial Training Network (EJTN);
- European Women Lawyers Association (EWLA);
- European Company Lawyers Association (ECLA).

Prior to sending out the questionnaire the above mentioned associations were approached by phone to announce the survey and identify the most relevant recipients within each organisation. An accompanying letter provided by the European Parliament was attached to each the questionnaire.

ERA, ACA-Europe and ENCJ completed their questionnaire, while CCBE and CNUE did not return the questionnaire but provided comments and additional relevant documents. The response of other European stakeholders as well as the fact that only 60% of the approached organisations reacted to the survey suggest that gender equality issues are not in the main focus of the majority of these associations. It follows from the answers provided that ACA does not observe any gender related imbalances in the legal professions, does not collect data, nor conduct any gender monitoring/research activities. The same is true for ENCJ with the exception of their assessment of existing gender imbalances: ENCJ points at a slight underrepresentation of women at the top level of the legal profession, which it expects to disappear in the next decade, but the Network itself does not take any measures/actions to tackle this gap.

However, the response of the Academy of European Law (ERA) suggests that this stakeholder organisation is more aware of existing gender imbalances. In particular, they point at the underrepresentation of men in the judiciary in Civil Law Countries e.g. France, Germany, Poland, as well as at the underrepresentation of women at the top level of the judiciary in the Common Law Countries, e.g. UK, Ireland. ERA relates the main reasons

behind these gaps to the national/historic traditions of the legal profession and the lack of work flexibility offered by the profession. One of ERA's main activities is the provision of training to the representatives of different legal professions in the field of EU Law including the EU Gender Equality Law. While selecting trainers and trainees (in the programmes where ERA is responsible for the selection) efforts are made to have gender balanced composition. However, given the underrepresentation of women at the top level of legal practice and (in some countries) of the judiciary, which is the pool from which ERA draws many of its speakers, this turns out to be difficult. The following figures provide an overall picture and trends in the composition of trainers and trainees.

Table 6.1: Number of trainers at ERA

YEAR	TOTAL	FEMALE	MALE
2016	718	35.7%	64.3%
2015	712	36.7%	63.3%
2014	449	37.6%	62.4%
2013	881	33.3%	66.7%

Table 6.2: Number of trainees at ERA

Year	Number of trainees			Trainees by legal profession			Trainees by age groups			
	Total	Female	Male	Judge	Prosecutor	Other*	Below 30	30-39	40-49	50 or above
2016	5,198	61.5%	38.5%	21.5%	4.9%	73.6%	13.2%	36.4%	29%	21.4%
2015	5,831	57.5%	42.5%	27.1%	5.2%	67.7%	13.2%	38.1%	27.7%	21%
2014	6,192	58.7%	41.3%	18.3%	5.7%	76%	13.7%	37%	29.5%	19.7%
2013	6,259	56.2%	43.8%	22.7%	8.6%	68.7%	13.1%	39.5%	28.4%	19%
2012	5,915	57%	43%	15.4%	4.6%	80%	14.3%	41%	26.9%	17.8%

* The category 'Other' includes e.g. 'Lawyers in private practice' (about 20.9% of the total number of trainees)

6.2. Survey among national notary associations- summary of responses

For the notarial profession, no data is currently collected on European cross-country level. Thus, a questionnaire was drafted for the national notary associations of the 22 Civil Law Countries that are members of CNUE. The survey was aiming at gaining the views of the national associations on gender related issues (imbalances and reasons behind, gender

monitoring, research, measures to promote gender equality, etc.), as well as at collecting data on the distribution of men and women employed as:

- registered notaries (2010 and 2016);
- presidents and members of the board of the organisations representing the notarial profession at national level (2010 and 2016);
- presidents and members of the board of the regional notarial chambers (for the countries that have regional chambers);
- trainers/trainees at the relevant national institutes of the notarial profession.

To raise the status of the query the accompanying letter from the European Parliament was included in the e-mail circulation of the questionnaire. The electronic survey was followed up by several telephone calls and e-mail reminders. Finally, the response rate lay by 86% (19 countries out of 22, however the Czech Republic and Luxembourg only responded to specify that they cannot provide any data). The quantitative data of the survey is included in the analysis in chapter 5, the summary of the qualitative part of the survey is presented below.

The questionnaire included a qualitative part and a request for data. The tables below list the countries reacting to the survey and specify their responses.

Table 6.3: Notary survey – Rate of response

Countries	Positive response	Negative response	No response
Austria	X		
Belgium	X		
Bulgaria	X		
Croatia	X		
Czech Republic		X	
Estonia	X		
France*	X		
Germany	X		
Greece	X		
Hungary	X		
Italy	X		
Latvia	X		
Lithuania	X		
Luxembourg		X	
Malta	X		
Netherlands	X		
Poland			X
Portugal			X
Romania			X
Slovakia	X		
Slovenia	X		
Spain	X		

* In response to the questionnaire France provided some data on the gender composition of the notarial profession but did not fill in the qualitative part of the survey. For this reason France is not included in the summary tables below.

Table 6.4: Notary survey – Gender related imbalances

Countries	Aware of gender imbalances		Under-representation of women in notarial profession	Under-representation of men in notarial profession	Under-representation of women at management level
	Yes	No			
Austria	X		X		X
Belgium		X			
Bulgaria		X			
Croatia		X			
Estonia		X			
Germany	X		X		X
Greece	X			X	
Hungary		X			
Italy	X		X		X
Latvia	X			X	
Lithuania		X			
Malta		X			
Netherlands	X		X		
Slovakia		X			
Slovenia		X			
Spain		X			

Main reasons behind the existing imbalances according to the notary organisations

- Factors related to national/historic traditions of the profession: AT; IT; LV; NL;
- Lack of work flexibility offered by the profession: AT
- Flexibility of working hours for women with families: DE⁹⁷; EL
- Implicit gender bias and prevailing gender stereotypes: IT

Table 6.5: Notary survey – Comments on gender imbalances in the notarial profession

MS	COMMENTS/CLARIFICATIONS
AT	Since several years, regarding the candidates for the notarial profession (notarial candidates) it can be observed that the number of female candidates is as large as the number of male candidates. In a contemplation in perspective, this means that national/historic traditions of the profession are changing.

⁹⁷ Although Germany did not tick the box with this reason but rather provided their detailed clarifications under the box 'Other reasons' (these clarifications are presented below in Box 1) we think their clarifications point to a certain extent at the 'flexibility' issues.

MS	COMMENTS/CLARIFICATIONS
BE	<p>There are no gender imbalances within the Belgian notariat. In Belgium, about 80% of the notarial collaborators are female (collaborators include not merely registered notaries, but also candidate-notaries, notarial jurists, notarial interns, notarial administrative staff, etc., thus all personnel active within Belgian notary offices). The Belgian notarial profession thus continues to strive for neutrality in conformity with its national social legislation, for example by guaranteeing equal pay, equal social benefits, etc.</p>
DE	<p>In the recruitment procedure preference is given to women provided that they have the same qualification, aptitude and professional performance as their male counterparts. However, it can be observed in Germany that female jurists tend to avoid the professional independence linked to the profession of notary and very often prefer civil service (judge, higher civil service in administration) or at least an employment contract as these can in general be more easily combined with childcare. This applies in particular to the notariat since the notary, as an organ of preventive administration of justice, is obliged by law to open his/her notariat at the habitual office hours in order to meet the needs of the population at all times.</p> <p>However, in recent years it has been recorded that thanks to measures taken by the legislator and professional organisations in order to make the profession more family friendly and due to social change in Germany the number of women choosing the profession of notary has sensibly increased:</p> <p>This can be observed as far as advocate notaries are concerned. Indeed, while their overall number has decreased in the past few years, the number of female advocate notaries has increased. Further, the number of women who take the exam to become advocate notaries (about 1/3 of all participants) allows us to expect a further increase of the percentage of women notaries.</p> <p>A comparable trend can also be observed with respect to 'only notaries'. The percentage of women is particularly high in the Laender of former Eastern Germany (about 40% of the notaries in Saxony and Thuringia are women, nearly 50 % in Saxony Anhalt, 50 % in Brandenburg and even 55 % in Mecklenburg Vorpommern). In addition, the percentage of female notary candidates has increased on a statewide level, which means that we can expect a steady increase of the number of female notaries when these candidates finish their training.</p> <p>Therefore according to our information, the number of female notaries constantly increases and it is to be expected that this trend will continue in the future.</p>

MS	COMMENTS/CLARIFICATIONS		
ES	We know that gender imbalances still exist in society within the EU. But it is very important for our institution that it is not automatically implied by these questions that there is a gender problem. The notariat in Spain is a modern open public office profession with access to everyone who wants to become a notary, without distinction of gender. As a proof we provide the official data on the number of candidates (M/F) that became notaries in the last 5 years.		
	Promotion	Men	Women
	2016	41	49
	2014	45	45
	2011	48	43
	2009	69	82
	2008	68	63
	2005	52	58
LT	We believe that large number of women in Lithuanian notariat is caused not by negative gender imbalance, but by our historic traditions of the profession, as it occurs in most of Eastern Europe countries.		
NL	Although there is an imbalance in the Netherlands, the trend is that more and more women enter the notarial profession, both as candidate and notary.		

Table 6.6: Notary survey – Measures to tackle imbalances, gender monitoring and research

Countries	Measures/actions to tackle gender imbalances		Gender monitoring		Research or projects with a focus on gender issues	
	Yes	No	Yes	No	Yes	No
Austria	X		X			X
Belgium		X	X		X	
Bulgaria		X		X		X
Croatia		X		X		X
Estonia		X		X		X
Germany	X		X		X	
Greece		X		X		X
Hungary		X		X		X
Italy		X		X		X
Latvia		X		X		X
Lithuania		X		X		X
Malta		n/a		X		X
Netherlands		X	X			X
Slovakia		X		X		X
Slovenia		X		X		X
Spain		n/a		X		X

Table 6.7: Notary survey – Information regarding gender related research/projects

COUNTRIES	CLARIFICATIONS
BELGIUM	<p>Publication of annual reports setting out the total amount of Belgian notaries each year, including the total number of female vs. male notaries</p> <p>In 2014, an interview took place with the female Belgian Minister of Justice at that time (Mrs. Annemie Turtelboom), the female President of the Belgian notariat at that time (Mrs. Lorette Rousseau) and the female CEO of the company Aviabel at that time (Mrs. Cécile Coune) addressing the question of women holding office in high-profile functions. Please find the article in Dutch and French in attachment.</p>
GERMANY	In particular, the women's promotion plan – see Box 1. On this basis new measures are regularly taken to promote the attractiveness of the notarial profession for women.

Table 6.8: Notary survey – Information regarding monitoring

COUNTRIES	CLARIFICATIONS
AUSTRIA	The Austrian chamber of civil law notaries keeps such statistics
BELGIUM	Cf. Supra: drafting and publication of annual reports setting out the total amount of Belgian notaries each year, including the total number of female vs. male notaries
GERMANY	In particular via the women's promotion plan

Table 6.9: Notary survey – Measures/actions to tackle gender imbalances

COUNTRIES	REPORTED MEASURES
AUSTRIA	With an amendment of the federal law for the notarial profession, which came into force on January 1st 2017, improvements like expanded possibilities for part-time work of candidate notaries who have children and an expanded qualification of periods of leave (leave under the Maternity Protection Act (Mutterschutzgesetz) or the Paternity Leave Act (Väter-Karenzgesetz)) as periods counting as practical work were created. These measures are contributions to tackling gender imbalances.
GERMANY	The Federal Counsel of Notaries as well as the regional chambers have taken in the past and continue to take comprehensive measures to make the notarial profession family friendlier and therefore more attractive for women.

COUNTRIES	REPORTED MEASURES
	<p>The German law on the organisation of the notarial profession (Bundesnotarordnung) already provides for the possibility to temporarily take a leave of absence as a notary in order to take care of a child with the guarantee to be able to return to the former office afterwards.</p> <p>In addition, the regional chambers draw up a so called "women's promotion plan" for three years, destined to achieve equality between women and men. The aim is to promote women in order to reduce existing disadvantages and to improve the compatibility of work and family life for women and men (see, for example, § 1 of the Gender Equality Act for the Land of North Rhine-Westphalia; LGG NRW). The purpose of the women's promotion plan is, accordingly, to take measures to promote equality of men and women and to better reconcile work and family life in order to reduce women's underrepresentation (see § 6 LGG NRW). The plan is drawn up in agreement with the respective competent State Ministry of Justice. Besides, the chambers each employ an officer for gender equality who is particularly involved in decisions related to recruitments and appointments.</p> <p>As described above (answer 3.), the regional chambers have the policy to employ women, as far as they are underrepresented, if they have the same qualification, personal and professional aptitude as their male counterparts. The male and female forms are always used in job advertisements, unless a particular gender is indispensable for a particular activity. The job advertisement emphasizes that applications from women are most welcome and that preference is given to women, if underrepresented, with equal qualifications, aptitude and professional performance. Unless mandatory professional concerns require otherwise, jobs are also offered on a part-time basis. As far as women are underrepresented, at least as many women as men or all female applicants are invited to the job interview if they meet the requirements for filling the vacant workplace. The officer for gender equality of the State Ministry of Justice as well as the officer for gender equality of the regional chamber of notaries take part in the job interviews. Furthermore, as already mentioned in Question 3, the regional chambers have taken sustainable measures to increase the family-friendliness of the profession and thus its attractiveness for women. Unless mandatory professional concerns require otherwise, it is possible to work part-time in order to care of a child under the age of eighteen. In addition, a leave of absence of up to three years (renewable) for childcare is possible if it is not contrary to mandatory professional concerns. Besides, notarial candidates are allowed to work part-time during parental leave. Finally, notaries in maternity leave or subject to pregnancy related employment prohibition or care for a child under the age of 3 have a right to a permanent representative in the notarial office. The upper limit for representation days needed for the care of a child under 18 years of age has been lifted. Finally, childcare periods are taken into account when calculating the seniority of notary candidates.</p> <p>Furthermore, the chambers of notaries encourage the participation of women in training seminars. For this purpose, child care costs for children under the age of 12 are reimbursed.</p> <p>For the appointment to Commissions as well, the Federal Chamber of notaries tries to achieve an equal representation of women and men within the limits of what is legally and actually possible.</p>

Table 6.10: Notary survey – Action necessary to tackle gender imbalances

COUNTRIES	AT EUROPEAN LEVEL	AT NATIONAL LEVEL
GERMANY	No measures are necessary.	In the recruitment procedure preference is already given to women that have the same professional and personal aptitude as their male counterparts. Moreover, comprehensive measures have been taken (often on the initiative of the Federal Chamber of German Civil Law Notaries and the regional notary chambers) in order to make the notariat more family friendly and thus more attractive for women (possibility of using additional replacement days for childcare, full crediting of parental leave to the period of professional activity; possibility for notarial candidates to work part-time up to 30%, even during parental leave). The adjustments which were possible without jeopardizing the duty of personal exercise of the notarial office have thus been made.
LATVIA	To promote and explain the constitutional role of notary as quasi judge to ensure legal certainty in civil matters.	Extension of the competence, for instance in real estate law and company law thus making the profession more dynamic and meaningful.

Table 6.11: Notary survey – Existing legal provisions promoting gender equality in the legal professions

COUNTRIES	AT EUROPEAN LEVEL	AT NATIONAL LEVEL
BULGARIA	COUNCIL DIRECTIVE 2004/113/EC of 13 December 2004; Implementing the principle of equal treatment between men and women in the access to and supply of goods and services	PROTECTION FROM DISCRIMINATION ACT Art 4., para 1. Prohibited shall be any practice or indirect discrimination based on sex, race, nationality, ethnic belonging, human genome, citizenship, origin, religion or belief, education, convictions, political affiliation, personal or public status, disability, age, sexual orientation, family status, property status or any other characteristics established by an Act or by an international agreement party to which is the Republic of Bulgaria. Chapter two 'PROTECTION FROM DISCRIMINATION', Section I. Protection in exercising the right to work Art. 26. The persons shall be entitled to equal conditions of access to a profession or activity, a possibility of their practicing and their development thereof, regardless of the characteristics under art. 4, para 1
CROATIA	Directive 2000/78; Directive 2000/43; Directive 2004/113; 2006/54	Zakon o suzbijanju diskriminacije – Act on Prevention of Discrimination (Official Gazette "Narodne novine" 85/08, 112/12)
ESTONIA	Directive 2010/41/EU; Directive 2006/54/EC	Estonian Gender Equality Act, https://www.riigiteataja.ee/en/eli/521012016001/consolide
GERMANY	Legal provisions promoting gender equality in the legal professions in particular are not known	

7. CONCLUSIONS AND POLICY RECOMMENDATIONS

7.1. Conclusions

The qualitative and quantitative research reveals that there is much to do in terms of gender equality in the judicial professions across Europe. While each Member State has an individual profile and context, there are some general areas that could be addressed at European level through the auspices of JURI. The survey findings conducted for this study reinforce other qualitative research findings that the barriers to women's full and equal participation with men in the judicial professions centre around the following issues:

- The persistence of gender stereotypes, including gender bias (often unconscious) in recruitment, selection and promotion processes.
- The difficulties in reconciling work and non-work responsibilities, exacerbated in circumstances where there a long hours culture is an accepted way of working.
- A lack of transparency in appointment and promotion processes.
- A dearth of mentoring practices and supportive networks.
- Lack of visibility of female role models in the most senior positions in the judicial professions.

The most obvious trend in the **judicial professions** is the decrease in the proportion of females at the level of court and seniority of post increases. At the lower levels, females are in some countries a majority, but this usually reverses as the court and prosecution level rises. Some jurisdictions require geographical relocation for an appointment to a more senior court or prosecutorial office (and in some cases this is because those appointments are held on a regional basis). Additional travelling time can be a deterrent for women with other responsibilities. Life in senior positions can be perceived as very conservative and requiring participation at functions in non-family friendly hours. Both of these perceptions are likely to deter women. Part-time appointments are less likely to be available.

Common law jurisdictions do not offer career routes into the judiciary and rely much more on law officials at the most junior end of the justice system. This means that there are far fewer positions available in the upper echelons of the judiciary. This combined with the presence of fewer women in the senior ranks of the legal profession, as a result of historic under participation by women, results in lower participation by women in the senior ranks of the judiciary.

Female presence in the **judiciary** in significant numbers also relates to the status of the judiciary within a particular jurisdiction. All judicial appointments are appointments to the civil service but in some jurisdictions appointments to the judiciary are held in higher esteem than simply undertaking a civil service career even though there is often an entrance examination which requires a high level of performance to secure an appointment; judicial office is a professional calling rather than a bureaucratic occupation.⁹⁸ In these circumstances we can expect to find larger numbers of men than women. In other jurisdictions, judicial office is seen as having relatively low status – bureaucratic e.g. Romania – and more lowly in remuneration terms than a career in some areas of legal

⁹⁸ See Guarnieri, Carlo and Pederzoli, Patrizia (2002) *The Power of Judges* OUP Oxford at p. 66-7 for their developed model of bureaucratic versus professional judicial careers.

practice, commercial law for example. In these circumstances the argument is that women are more likely to be found in the judiciary.⁹⁹

Judicial careers might be more attractive for some women in the first instance than careers in private practice. Judicial careers offer a salaried and fixed income and, at the lower levels, fixed hours. Private practice might not offer either of these things. Judicial careers might seem to be a choice with less stress (i.e. a managed rather than a self-generated workload) less pressure and a clear career path. Advancement in the career judicial may seem less contingent on participation in after-hours social events and the demands of male culture.

A further gender gap of some magnitude is found among **non-judge staff** (Rechtspfleger, staff assisting judges, administrative staff, technical and non-judge staff), where in 2014 there were three females for every one male carrying out these duties. These positions are salaried positions in the civil service. They are likely to be available as part-time positions and positions with fixed hours of work. They are less likely to require geographical location for salary advancement.

When it comes to **lawyers**, opinion literature generated from within the legal professions and by commentators on them suggests that while it is still the case that women predominate in practice areas such as family and child law their presence in commercial law practice areas is increasing.¹⁰⁰ This increase is attributed to the number of women entering the profession and the changing nature of legal practice in commercial areas. These areas are now more about negotiation and client care than contentious litigation. The skills required are seen as those stereotypically possessed by women. This accounts in part for the increase in female participation as partners in large pan-Europe law firms as these firms practice in commercial areas and are very unlikely to operate in areas such as family, child and criminal law. The other reason for the increase in female participation in partnership is the increase in women joining the legal profession.

However, although there is an increase in females entering the legal profession and becoming partners, the numbers of women progressing to partnership or to elite levels in the advocacy profession is still very small. Figures produced by private sector consultants suggest that pipeline leakage is less of a problem than it might be thought to be – women only leave in marginally greater numbers than men (less than 5%) at the various career points – trainee, senior associate and non-equity partner.¹⁰¹ It seems the absence of women is more likely to be due to the failure of internal promotion systems to attract women, negative perceptions held by potential female candidates of the requirements of the job role and concerns about the financial risks involved in moving from salaried to equity partner status.

Large gender gaps are seen in the case of **notaries** in common law jurisdictions (IE, UK-E&W, UK-NI), where male representation is over 70%, and females hold less than 30% of these posts. It should be noted that notary practice in common law jurisdictions is restricted largely to the authentication of documents for overseas jurisdictions unlike in civil law jurisdictions where the scope of practise is much wider. It is most unlikely in a common law jurisdiction that the sole source of an individual's income would be derived from practise as a notary. Male predominance is likely to be accounted by legislative reforms of

⁹⁹ Fuszara, Malgozata (2003), Women Lawyers in Poland. In: Ulrike Schultz and Gisela Shaw: Women in the World's Legal Professions. Oxford: Hart, p. 371-386.

¹⁰⁰ <http://visegradrevue.eu/women-in-the-judiciary-a-v4-success-story-with-some-flaws/>

¹⁰¹ https://30percentclub.org/assets/uploads/UK/30_Club_Reports/Shifting_the_Needle.pdf

the 1990s which further restricted practise areas. 70% of notaries are also solicitors and they are likely to have qualified as solicitors prior to 1990, before there was a large increase in female participation in the solicitor profession.

Also in most Western European Civil Law Countries, the **notariat** is still a very male profession. In most countries, there are high entrance barriers. The profession has a very high prestige and splendid income perspectives. Also the leaders in the profession, the heads/presidents of the national notarial organisations are male and the vast majority of board members. In the former communist countries, on the other hand, the proportion of women in the notariat is very high. However, the functions, prestige and income of a notary under communism was – as described in chapter 3 – different from the functions of a notary in a Western civil law country.

There is some measure of awareness of existing imbalances in the profession, with the national notariat organisations of Austria, Germany, the Netherlands, Latvia and Greece conscious of gender inequalities. Austria and the Netherlands are particularly concerned with the underrepresentation of women, while Latvia and Greece are concerned with the underrepresentation of men. They attribute the gender imbalances to factors related to national and historic traditions of the profession (AT, LV, NL), but also attribute lack of work flexibility as a contributing cause (AT). The Austrian notarial organisation noted the introduction of reforms regulating the profession since January 2017, permitting the possibility of part-time work, extended periods of maternity and paternity leave. It will be interesting to see if the new flexibility is availed of by individual notariats, and promoted by the national organisation.¹⁰²

When it comes to **education**, law which has traditionally been a 'male subject' has turned into a subject preferred by women. Although the percentage of women choosing law has already been high in the past twenty years, it is – as the developments from 2012 to 2015 show – still growing, and amounts to about 60% female **law students** on average. The numbers for students and graduates of bachelor and master studies do not differ significantly and there does not seem to be a considerable loss of students for the second stage of legal education. The data on the gender composition in doctoral studies show more differences. There seems to be a general tendency that there is a loss of about 10-20% of women in this stage. The number of women doing the doctorate is in most countries around 50%. This overall figure hides wide variation, with men predominating doctoral legal studies in the majority of Member States. This is the first step of the 'leaky pipeline'. Less women are taking advanced academic qualifications due to several factors, such as:

- A general job insecurity in the academy.
- Stress in qualification procedures which have to be passed in the 'rush hour of life' when families are founded.¹⁰³

With regard to **teaching positions at universities** there is still a greater loss of women, especially in countries with long and strict qualification procedures like Germany where only 15% of the senior chairs in law faculties are occupied by women. In academia there is a clear connection between restrictive gate keeping strategies, high income possibilities and high prestige and a preponderance of male professors and masculine culture in law faculties.

¹⁰² Information gathered through the ÖSB survey of National Notary Bodies, January-March 2017.

¹⁰³ Schultz, Ulrike et al. (forthcoming), Gender and Careers in the Legal Academy.

Summing up, it has to be noted that the majority of law graduates are women and that this is homogeneous and a consistent effect across all Member States. After graduation women tend to find employment in the less well paid positions in the legal labour market in salaried positions and as practitioners and notaries, and many find their way into alternative professions.

7.2. Policy recommendations

The data point to a gender imbalance at the top of the judicial professions – among the judiciary and as partners in legal firms. The data also indicate a distinct horizontal segregation of these professions, with, for example, the wide range of staff that act in varying capacities to support judges being distinctly female-dominated. These findings together point to a need to address the legal culture, and practices, so as to establish and maintain an environment where women as well as men have equal opportunities to have fulfilling careers in the law. There are some immediate and short-term actions arising from this study that JURI may wish to consider:

- Sharing good practices on measures taken to tackle gender imbalances in the judicial professions.
- Initiating a framework for the systematic monitoring of gender, and gathering all monitoring data into one place on a regular basis.
- Encouraging Member States to develop projects on issues relating to gender equality in the judicial professions.
- Taking a positive, pro-active approach to gender equality by promoting the development of Member State action plans (as per the Geneva Forum).
- Working with FEMM in the European Parliament to hold collaborative events on this issue.
- Working with EIGE to develop a systematic method of monitoring and promoting gender equality in the judicial professions.
- There is a need to address the imbalances at the top of the judicial professions. This study contains an extended discussion on quotas and their place in the legal professions. It could form the basis for a discussion on gender diversity, and its current absence in top law positions, with a view to Member States setting targets and timetables for improvement. Quotas may form part of the tools available for use in reaching these targets on time, and this strategy should certainly form part of the discussion.

The secondary **data** used in this report was not always consistent and some major data gaps became evident. To address these issues:

- A **common framework for collecting statistics** could be developed which takes into account the existing differences between the professions and enhances cross-country comparison.
- **More empirical evidence is necessary.** Systematic research into the situation of women and men in the Member States is needed which can then be evaluated more thoroughly. The existing work stems mostly from ad hoc initiatives which necessarily can only present patchwork results.
- **More comprehensive data** on a comparative level is needed:

- a. on **gender effects in remuneration and pay**
 - b. all aspects of **horizontal and vertical segregation**, i.e. specialisation, percentage of women and men in particular fields and departments, the number of women and men on different career steps, and also the time needed to move up.
 - c. **Full-time and part-time work.**
- The absence of **gender-disaggregated data** on the proportions of Grade A staff (full professors) in higher education is a major gap. The JURI may consider discussing with She Figures data collectors a means of disaggregating the data collected for Social Sciences into sub-category of Professors of Law.

When it comes to legal education, there are still considerable differences among EU Member States. It could therefore be considered to:

- **Evaluate, improve and harmonise the qualification procedures.** A **common framework of curricula for legal education** could be developed. Even if it could only get the status of a recommendation, it could improve the quality of legal education and consequently also of legal services.
- Systematically include **gender as a cross-cutting topic in legal education**:
 - a. A common framework of curricula¹⁰⁴ could give proposals how to include **gender issues in legal education**. There are deficits in all Member States.
 - b. Gender education should also be promoted for the judiciary and lawyers in all other legal professions. Special gender trainings should be avoided as they often meet resistance. Consequently, **gender issues** could be included **as a cross-sectional subject in all regular further education** activities.

Finally, the gender imbalances in the legal professions revealed in this report are not new, and have been found to be common in other sectors of employment and activity (e.g. corporate boards). There are many lessons to be drawn from examining how other sectors are tackling gender imbalances that could inform the discussions among judicial practitioners. JURI is in an excellent position to tap into those networks.

- JURI may consider establishing a 'gender equality in the judicial professions' **network** to focus on this issue and bring forward a work plan to address the barriers, identify concrete measures to tackle gender imbalances, devise a suitable monitoring framework, and give visibility to the many good practices of Member States that deserve replication in others. The network could help to establish a comparative picture of the situation for both sexes in the legal professions as well as legal education in the Member States.

¹⁰⁴ See for instance the Gender Curriculum for legal education in Germany: <http://www.gender-curricula.com/gender-curricula/>

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DATA TABLES

ANNEX: DATA TABLES

Table 1 – Professional Judges First Instance

	Male			Female			TOTAL			Male Percent			Female Percent		
Member State	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Belgium	657	622	592	618	641	679	1275	1293	1271	51.53	48.11	46.58	48.47	49.57	53.42
Bulgaria	NA	NA	NA	NA	NA	NA	1206	1188	1753	NA	NA	NA	NA	NA	NA
Czech Republic	655	644	632	1208	1213	1206	1863	1857	1838	35.16	34.68	34.39	64.84	65.32	65.61
Denmark	NA	111	94	NA	148	131	259	259	225	NA	42.86	41.78	NA	57.14	58.22
Germany	NA	NA	NA	NA	NA	NA	14861	14861	14840	NA	NA	NA	NA	NA	NA
Estonia	49	49	51	114	118	118	163	167	169	30.06	29.34	30.18	69.94	70.66	69.82
Ireland	106	99	93	33	37	47	139	136	140	76.26	72.79	66.43	23.74	27.21	33.57
Greece	347	411	369	832	1107	1171	1179	1518	1540	29.43	27.08	23.96	70.57	72.92	76.04
Spain	1402	1533	1574	1807	2114	2281	3209	3647	3855	43.69	42.03	40.83	56.31	57.97	59.17
France	1585	1819	1701	3265	3143	3175	4850	4962	4876	32.68	36.66	34.89	67.32	63.34	65.11
Croatia	394	389	377	961	989	966	1355	1378	1343	29.08	28.23	28.07	70.92	71.77	71.93
Italy	2602	2259	2429	2764	2670	2975	5366	4929	5404	48.49	45.83	44.95	51.51	54.17	55.05
Cyprus	47	47	44	44	43	40	91	90	84	51.65	52.22	52.38	48.35	47.78	47.62
Latvia	65	47	62	233	216	245	298	263	307	21.81	17.87	20.20	78.19	82.13	79.80
Lithuania	272	259	246	421	425	425	693	684	671	39.25	37.87	36.66	60.75	62.13	63.34
Luxembourg	51	NA	46	97	NA	140	148	186	186	34.46	NA	24.73	65.54	NA	75.27
Hungary	501	496	500	1165	1176	1184	1666	1672	1684	30.07	29.67	29.69	69.93	70.33	70.31
Malta	22	20	18	12	14	15	34	34	33	64.71	58.82	54.55	35.29	41.18	45.45
Netherlands	859	784	738	1085	1071	1091	1944	1855	1829	44.19	42.26	40.35	55.81	57.74	59.65
Austria	624	653	556	639	672	668	1263	1325	1224	49.41	49.28	45.42	50.59	50.72	54.58
Poland	2523	3371	3451	4711	6070	6065	7234	9441	9516	34.88	35.71	36.27	65.12	64.29	63.73
Portugal	511	507	494	938	973	984	1449	1480	1478	35.27	34.26	33.42	64.73	65.74	66.58
Romania	547	619	569	1325	1379	1532	1872	1998	2101	29.22	30.98	27.08	70.78	69.02	72.92
Slovenia	154	148	139	639	605	585	793	753	724	19.42	19.65	19.20	80.58	80.35	80.80

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Slovakia	329	310	318	579	561	559	908	871	877	36.23	35.59	36.26	63.77	64.41	63.74
Finland	380	350	356	351	394	402	731	744	758	51.98	47.04	46.97	48.02	52.96	53.03
Sweden	428	428	412	306	338	359	734	766	771	58.31	55.87	53.44	41.69	44.13	46.56
United Kingdom	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Northern Ireland	NA	42	41	NA	16	16	NA	57	57	NA	73.68	71.93	NA	28.07	28.07
Scotland	131	132	124	37	36	35	168	168	159	77.98	78.57	77.99	22.02	21.43	22.01

Source: CEPEJ-STAT (<http://www.coe.int/t/dghl/cooperation/cepej/evaluation/2016/STAT/default.asp>)

Table 2 – Professional Judges Second Instance

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Belgium	180	173	161	125	132	141	305	305	302	59.02	56.72	53.31	40.98	43.28	46.69
Bulgaria	NA	NA	NA	NA	NA	NA	831	859	277	NA	NA	NA	NA	NA	NA
Czech Republic	391	407	487	578	557	603	969	964	1090	40.35	42.22	44.68	59.65	57.78	55.32
Denmark	NA	59	58	NA	35	39	94	94	97	NA	62.77	59.79	NA	37.23	40.21
Germany	NA	NA	NA	NA	NA	NA	4056	4056	4024	NA	NA	NA	NA	NA	NA
Estonia	18	17	20	24	25	24	42	42	44	42.86	40.48	45.45	57.14	59.52	54.55
Ireland	NAP	NAP	8	NAP	NAP	2	NAP	NAP	10	NA	NA	80.00	NA	NA	20.00
Greece	207	291	132	385	521	327	592	812	459	34.97	35.84	28.76	65.03	64.16	71.24
Spain	950	964	927	451	467	489	1401	1431	1416	67.81	67.37	65.47	32.19	32.63	34.53
France	785	787	719	975	908	987	1760	1695	1706	44.60	46.43	42.15	55.40	53.57	57.85
Croatia	200	192	180	292	322	309	492	514	489	40.65	37.35	36.81	59.35	62.65	63.19
Italy	598	609	618	395	509	577	993	1118	1195	60.22	54.47	51.72	39.78	45.53	48.28
Cyprus	12	9	9	1	4	4	13	13	13	92.31	69.23	69.23	7.69	30.77	30.77
Latvia	27	31	31	98	95	103	125	126	134	21.60	24.60	23.13	78.40	75.40	76.87
Lithuania	30	31	27	16	20	22	46	51	49	65.22	60.78	55.10	34.78	39.22	44.90
Luxembourg	NA	NA	NAP	NA	NA	NAP	NA	NA	NAP	NA	NA	NA	NA	NA	NA
Hungary	361	326	332	775	695	715	1136	1021	1047	31.78	31.93	31.71	68.22	68.07	68.29
Malta	5	6	7	0	0	1	5	6	8	100.0	100.0	87.50	0.00	0.00	12.50
Netherlands	330	306	293	218	213	237	548	519	530	60.22	58.96	55.28	39.78	41.04	44.72
Austria	108	94	191	65	64	139	173	157	330	62.43	59.87	57.88	37.57	40.76	42.12
Poland	1261	221	229	1952	276	265	3213	497	494	39.25	44.47	46.36	60.75	55.53	53.64
Portugal	290	282	267	132	163	163	422	445	430	68.72	63.37	62.09	31.28	36.63	37.91
Romania	529	554	608	1572	1663	1752	2101	2217	2360	25.18	24.99	25.76	74.82	75.01	74.24
Slovenia	53	48	45	141	135	126	194	183	171	27.32	26.23	26.32	72.68	73.77	73.68
Slovakia	139	140	146	224	212	223	363	352	369	38.29	39.77	39.57	61.71	60.23	60.43
Finland	107	105	89	86	89	97	193	194	186	55.44	54.12	47.85	44.56	45.88	52.15

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
United Kingdom	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

Source: CEPEJ-STAT

Table 3 – Professional Judges Supreme Court

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Belgium	22	24	23	5	6	6	27	30	29	81.48	80.00	79.31	18.52	20.00	20.69
Bulgaria	NA	NA	NA	NA	NA	NA	175	192	190						
Czech Republic	140	142	73	91	92	27	231	234	100	60.61	60.68	73.00	39.39	39.32	27.00
Denmark	NA	14	14	NA	5	5	19	19	19		73.68	73.68		26.32	26.32
Germany	NA	NA	348	NA	NA	111	457	457	459			75.82			24.18
Estonia	16	17	15	3	2	3	19	19	18	84.21	89.47	83.33	15.79	10.53	16.67
Ireland	6	7	7	2	1	3	8	8	10	75.00	87.50	70.00	25.00	12.50	30.00
Greece	156	129	115	114	115	117	270	244	232	57.78	52.87	49.57	42.22	47.13	50.43
Spain	70	68	71	9	9	11	79	77	82	88.61	88.31	86.59	11.39	11.69	13.41
France	180	223	197	155	153	156	335	376	353	53.73	59.31	55.81	46.27	40.69	44.19
Croatia	20	22	26	20	18	17	40	40	43	50.00	55.00	60.47	50.00	45.00	39.53
Italy	238	232	256	57	68	84	295	300	340	80.68	77.33	75.29	19.32	22.67	24.71
Cyprus	12	NAP	NAP	1	NAP	NAP	13	NAP	NAP	92.31			7.69		
Latvia	23	23	18	26	27	29	49	50	47	46.94	46.00	38.30	53.06	54.00	61.70
Lithuania	29	25	24	8	8	10	37	33	34	78.38	75.76	70.59	21.62	24.24	29.41
Luxembourg	21	NA	17	19	NA	24	40	41	41	52.50		41.46	47.50		58.54
Hungary	38	34	41	51	40	41	89	74	82	42.70	45.95	50.00	57.30	54.05	50.00
Malta	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP						
Netherlands	32	32	NA	6	4	NA	38	36	NA	84.21	88.89		15.79	11.11	
Austria	41	45	43	14	20	23	55	65	66	74.55	69.23	65.15	25.45	30.77	34.85
Poland	115	109	NA	63	67	NA	178	176	86	64.61	61.93		35.39	38.07	
Portugal	79	75	67	6	9	15	85	84	82	92.94	89.29	81.71	7.06	10.71	18.29
Romania	24	14	18	84	81	98	108	95	116	22.22	14.74	15.52	77.78	85.26	84.48
Slovenia	22	21	18	15	13	11	37	34	29	59.46	61.76	62.07	40.54	38.24	37.93
Slovakia	38	39	32	42	45	44	80	84	76	47.50	46.43	42.11	52.50	53.57	57.89
Finland	27	27	28	16	16	16	43	43	44	62.79	62.79	63.64	37.21	37.21	36.36

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Sweden	19	20	22	20	13	14	39	33	36	48.72	60.61	61.11	51.28	39.39	38.89
United Kingdom	NA	NA	NA	NA	NA	NA	NA	NA	NA						
Northern Ireland	NA	10	9	NA	0	0	NA	10	9		100.00	100.00		0.00	0.00
Scotland	NA	NA	NA	NA	NA	NA	NA	NA	NA						

Source: CEPEJ-STAT

Table 4 – Court Presidents

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Belgium	63	55	33	19	27	17	82	82	50	76.83	67.07	66.00	23.17	32.93	34.00
Bulgaria	96	NA	NA	89	NA	NA	185	184	182	51.89	NA	NA	48.11	NA	NA
Czech Republic	57	61	62	33	36	31	90	97	93	63.33	62.89	66.67	36.67	37.11	33.33
Denmark	21	21	23	8	8	9	29	29	32	72.41	72.41	71.88	27.59	27.59	28.13
Germany	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Estonia	7	4	5	2	5	4	9	9	9	77.78	44.44	55.56	22.22	55.56	44.44
Ireland	3	2	3	1	2	2	4	4	5	75.00	50.00	60.00	25.00	50.00	40.00
Greece	185	174	129	378	399	296	563	573	425	32.86	30.37	30.35	67.14	69.63	69.65
Spain	NAP	NA	117	NAP	NA	17	NAP	NA	134	NA	NA	87.31	NA	NA	12.69
France	178	175	162	70	70	82	248	245	244	71.77	71.43	66.39	28.23	28.57	33.61
Croatia	61	69	60	93	89	81	154	158	141	39.61	43.67	42.55	60.39	56.33	57.45
Italy	188	176	152	28	48	50	216	224	202	87.04	78.57	75.25	12.96	21.43	24.75
Cyprus	9	10	13	6	8	8	15	18	21	60.00	55.56	61.90	40.00	44.44	38.10
Latvia	15	14	13	27	28	29	42	42	42	35.71	33.33	30.95	64.29	66.67	69.05
Lithuania	39	28	19	28	31	21	67	59	40	58.21	47.46	47.50	41.79	52.54	52.50
Luxembourg	7	5	4	4	3	4	11	8	8	63.64	62.50	50.00	36.36	37.50	50.00
Hungary	81	71	72	56	81	86	137	152	158	59.12	46.71	45.57	40.88	53.29	54.43
Malta	NA	3	3	NA	0	0	1	3	3	NA	100.00	100.00	NA	0.00	0.00
Netherlands	24	18	14	3	2	4	27	20	18	88.89	90.00	77.78	11.11	10.00	22.22
Austria	113	49	47	47	31	32	160	79	79	70.63	62.03	59.49	29.38	39.24	40.51
Poland	218	157	165	174	142	144	392	299	309	55.61	52.51	53.40	44.39	47.49	46.60
Portugal	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Romania	82	79	89	105	129	141	187	208	230	43.85	37.98	38.70	56.15	62.02	61.30
Slovenia	23	22	22	43	44	42	66	66	64	34.85	33.33	34.38	65.15	66.67	65.63
Slovakia	36	33	33	24	28	30	60	61	63	60.00	54.10	52.38	40.00	45.90	47.62
Finland	36	36	33	10	10	11	46	46	44	78.26	78.26	75.00	21.74	21.74	25.00

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Sweden	55	46	45	18	26	26	73	72	71	75.34	63.89	63.38	24.66	36.11	36.62
United Kingdom	NAP	NA	NAP	NAP	NA	NAP	NAP	NA	NAP	NA	NA	NA	NA	NA	NA
Northern Ireland	NA	5	5	NA	1	1	NA	6	6	NA	83.33	83.33	NA	16.67	16.67
Scotland	1	1	1	0	0	0	1	1	1	100	100	100	0.00	0.00	0.00

Source: CEPEJ-STAT

Table 5 - Court President First Instance

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Belgium	54	47	26	17	24	13	71	71	39	76.06	66.20	66.67	23.94	33.80	33.33
Bulgaria	70	NA	NA	71	NA	NA	141	146	144	49.65	NA	NA	50.35	NA	NA
Czech Republic	47	54	53	31	32	28	78	86	81	60.26	62.79	65.43	39.74	37.21	34.57
Denmark	18	18	18	8	8	9	26	26	27	69.23	69.23	66.67	30.77	30.77	33.33
Germany	NA	NA	NA	NA	NA	NA	NA	NA	NA		NA	NA		NA	NA
Estonia	4	2	3	2	4	3	6	6	6	66.67	33.33	50.00	33.33	66.67	50.00
Ireland	2	2	2	1	1	1	3	3	3	66.67	66.67	66.67	33.33	33.33	33.33
Greece	101	88	76	297	314	223	398	402	299	25.38	21.89	25.42	74.62	78.11	74.58
Spain	NA	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP		NA	NA		NA	NA
France	143	139	130	58	57	68	201	196	198	71.14	70.92	65.66	28.86	29.08	34.34
Croatia	49	54	46	86	85	77	135	139	123	36.30	38.85	37.40	63.70	61.15	62.60
Italy	169	153	131	25	46	48	194	199	179	87.11	76.88	73.18	12.89	23.12	26.82
Cyprus	8	9	12	6	8	8	14	17	20	57.14	52.94	60.00	42.86	47.06	40.00
Latvia	13	12	10	22	23	25	35	35	35	37.14	34.29	28.57	62.86	65.71	71.43
Lithuania	36	25	16	28	31	21	64	56	37	56.25	44.64	43.24	43.75	55.36	56.76
Luxembourg	5	3	2	2	3	4	7	6	6	71.43	50.00	33.33	28.57	50.00	66.67
Hungary	62	54	59	49	74	73	111	131	132	55.86	41.22	44.70	44.14	56.49	55.30
Malta	NA	2	2	NA	0	0	NA	2	2		100	100		0.00	0.00
Netherlands	17	11	7	2	2	4	19	13	11	89.47	84.62	63.64	10.53	15.38	36.36
Austria	109	38	35	46	25	25	155	63	60	70.32	60.32	58.33	29.68	39.68	41.67
Poland	178	142	120	156	140	126	334	282	246	53.29	50.35	48.78	46.71	49.65	51.22
Portugal	NA	NA	NA	NA	NA	NA	NA	NA	NA		NA	NA		NA	NA
Romania	47	54	61	80	91	102	127	145	163	37.01	37.24	37.42	62.99	62.76	62.58
Slovenia	20	19	18	39	41	40	59	60	58	33.90	31.67	31.03	66.10	68.33	68.97
Slovakia	30	28	28	21	24	26	51	52	54	58.82	53.85	51.85	41.18	46.15	48.15
Finland	29	29	28	9	9	9	38	38	37	76.32	76.32	75.68	23.68	23.68	24.32

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Sweden	45	38	36	17	22	23	62	60	59	72.58	63.33	61.02	27.42	36.67	38.98
United Kingdom	NAP	NA	NAP	NAP	NA	NAP	NAP	NA	NAP		NA	NA		NA	NA
Northern Ireland	NA	3	3	NA	1	1	NA	4	4		75.00	75.00		25.00	25.00
Scotland	NA	NAP	NAP	NA	NAP	NAP	NA	NAP	NAP		NA	NA		NA	NA

Source: CEPEJ-STAT

Table 6 - Court President Second Instance

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Belgium	8	7	6	2	3	4	10	10	10	80.00	70.00	60.00	20.00	30.00	40.00
Bulgaria	24	NA	NA	18	NA	NA	42	36	36	57.14	NA	NA	42.86	NA	NA
Czech Republic	7	6	8	1	3	2	8	9	10	87.50	66.67	80.00	12.50	33.33	20.00
Denmark	2	2	4	0	0	0	2	2	4	100.00	100.00	100.00	0.00	0.00	0.00
Germany	NA	NA	NA	NA	NA	NA	NA	NA	NA		NA	NA		NA	NA
Estonia	2	1	1	0	1	1	2	2	2	100.00	50.00	50.00	0.00	50.00	50.00
Ireland	NAP	NAP	1	NAP	NAP	0	NAP	NAP	1		NA	100.00		NA	0.00
Greece	81	85	50	81	84	73	162	169	123	50.00	50.30	40.65	50.00	49.70	59.35
Spain	106	88	111	15	15	17	121	103	128	87.60	85.44	86.72	12.40	14.56	13.28
France	33	34	30	12	13	14	45	47	44	73.33	72.34	68.18	26.67	27.66	31.82
Croatia	11	14	13	7	4	4	18	18	17	61.11	77.78	76.47	38.89	22.22	23.53
Italy	18	22	20	3	2	2	21	24	22	85.71	91.67	90.91	14.29	8.33	9.09
Cyprus	1	1	1	0	0	0	1	1	1	100.00	100.00	100.00	0.00	0.00	0.00
Latvia	1	1	2	5	5	4	6	6	6	16.67	16.67	33.33	83.33	83.33	66.67
Lithuania	2	2	2	0	0	0	2	2	2	100.00	100.00	100.00	0.00	0.00	0.00
Luxembourg	2	NAP	NA	1	NAP	NA	3	NAP	NA	66.67	NA	NA	33.33	NA	NA
Hungary	18	13	12	7	7	13	25	20	25	72.00	65.00	48.00	28.00	35.00	52.00
Malta	NA	1	1	NA	0	0	NA	1	1		100.00	100.00		0.00	0.00
Netherlands	6	6	6	1	0	0	7	6	6	85.71	100.00	100.00	14.29	0.00	0.00
Austria	4	9	10	0	6	7	4	15	17	100.00	60.00	58.82	0.00	40.00	41.18
Poland	38	9	42	18	2	16	56	11	58	67.86	81.82	72.41	32.14	18.18	27.59
Portugal	NA	NA	NA	NA	NA	NA	NA	NA	NA		NA	NA		NA	NA
Romania	35	25	28	24	37	38	59	62	66	59.32	40.32	42.42	40.68	59.68	57.58
Slovenia	2	2	3	4	3	2	6	5	5	33.33	40.00	60.00	66.67	60.00	40.00
Slovakia	5	4	5	3	4	3	8	8	8	62.50	50.00	62.50	37.50	50.00	37.50
Finland	6	6	4	0	0	1	6	6	5	100.00	100.00	80.00	0.00	0.00	20.00

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Sweden	9	7	8	0	3	2	9	10	10	100.00	70.00	80.00	0.00	30.00	20.00
United Kingdom	NAP	NA	NAP	NAP	NA	NAP	NAP	NA	NAP		NA	NA		NA	NA
Northern Ireland	NA	NA	1	NA	NA	0	NA	NA	1		NA	100.00		NA	0.00
Scotland	NA	NAP	NAP	NA	NAP	NAP	NA	NAP	NAP		NA	NA		NA	NA

Source: CEPEJ-STAT

Table 7 - Court President Supreme Court

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Belgium	1	1	1	0	0	0	1	1	1	100	100	100	0	0	0
Bulgaria	2	NA	NA	0	NA	NA	2	2	2	100	NA	NA	0	NA	NA
Czech Republic	3	1	1	1	1	1	4	2	2	75	50	50	25	50	50
Denmark	1	1	1	0	0	0	1	1	1	100	100	100	0	0	0
Germany	NA	NA	NA	NA	NA	NA	NA	NA	NA		NA	NA		NA	NA
Estonia	1	1	1	0	0	0	1	1	1	100	100	100	0	0	0
Ireland	1	0	0	0	1	1	1	1	1	100	0	0	0	100	100
Greece	3	1	3	0	1	0	3	2	3	100	50	100	0	50	0
Spain	6	6	6	0	0	0	6	6	6	100	100	100	0	0	0
France	2	2	2	0	0	0	2	2	2	100	100	100	0	0	0
Croatia	1	1	1	0	0	0	1	1	1	100	100	100	0	0	0
Italy	1	1	1	0	0	0	1	1	1	100	100	100	0	0	0
Cyprus	1	NAP	NAP	0	NAP	NAP	1	NAP	NAP	100	NA	NA	0	NA	NA
Latvia	1	1	1	0	0	0	1	1	1	100	100	100	0	0	0
Lithuania	1	1	1	0	0	0	1	1	1	100	100	100	0	0	0
Luxembourg	0	2	2	1	0	0	1	2	2	0	100	100	100	0	0
Hungary	1	1		0	0		1	1	1	100	100		0	0	
Malta	NA	NAP	NAP	NA	NAP	NAP	NA	NAP	NAP		NA	NA		NA	NA
Netherlands	1	1	1	0	0	0	1	1	1	100	100	100	0	0	0
Austria	0	1	2	1	0	0	1	1	2	0	100	100	100	0	0
Poland	2	6	3	0	0	2	2	6	5	100	100	60	0	0	40
Portugal	NA	NA	NA	NA	NA	NA	NA	NA	NA		NA	NA		NA	NA
Romania	0	0	0	1	1	1	1	1	1	0	0	0	100	100	100
Slovenia	1	1	1	0	0	0	1	1	1	100	100	100	0	0	0
Slovakia	1	1	0	0	0	1	1	1	1	100	100	0	0	0	100
Finland	1	1	1	1	1	1	2	2	2	50	50	50	50	50	50

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Sweden	1	1	1	1	1	1	2	2	2	50	50	50	50	50	50
United Kingdom	NAP	NA	NAP	NAP	NA	NAP	NAP	NA	NAP		NA	NA		NA	NA
Northern Ireland	NA	2	1	NA	0	0	NA	2	1		100	100		0	0
Scotland	NA	NAP	NAP	NA	NAP	NAP	NA	NAP	NAP		NA	NA		NA	NA

Source: CEPEJ-STAT

Table 8 – Non-judge Staff

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Belgium	NA	1528	1466	NA	3930	3824	5632	5458	5290	NA	28.00	27.71	NA	72.00	72.29
Bulgaria	NA	NA	NA	NA	NA	NA	5866	6014	6014	NA	NA	NA	NA	NA	NA
Czech Republic	NA	7535	1159	NA	1600	8150	9498	9135	9309	NA	82.48	12.45	NA	17.52	87.55
Denmark	NA	NA	NA	NA	NA	NA	NA	1823	1754	NA	NA	NA	NA	NA	NA
Germany	NA	NA	NA	NA	NA	NA	53649	53649	53302	NA	NA	NA	NA	NA	NA
Estonia	NA	129	126	NA	828	891	976	957	1017	NA	13.48	12.39	NA	86.52	87.61
Ireland	NA	NA	361	NA	NA	566	1028	945	927	NA	NA	38.94	NA	NA	61.06
Greece	NA	NA	1523	NA	NA	3951	6760	5327	5474	NA	NA	27.82	NA	NA	72.18
Spain	NA	NA	NA	NA	NA	NA	NA	44748	48563	NA	NA	NA	NA	NA	NA
France	NA	4991	3902	NA	16767	18458	21105	21758	22360	NA	22.94	17.45	NA	77.06	82.55
Croatia	NA	870	868	NA	5364	5193	6944	6234	6061	NA	13.96	14.32	NA	86.04	85.68
Italy	NA	NA	7367	NA	NA	14536	NA	23672	21903	NA	NA	33.63	NA	NA	66.37
Cyprus	NA	NA	178	NA	NA	284	463	424	462	NA	NA	38.53	NA	NA	61.47
Latvia	NA	NA	136	NA	NA	1442	1601	1608	1578	NA	NA	8.62	NA	NA	91.38
Lithuania	NA	376	NA	NA	2243	NA	2656	2619	2608	NA	14.36	NA	NA	85.64	NA
Luxembourg	NA	NA	120	NA	NA	78	303	355	198	NA	NA	60.61	NA	NA	39.39
Hungary	NA	NA	1312	NA	NA	6710	7713	8142	8022	NA	NA	16.36	NA	NA	83.64
Malta	NA	NA	NA	NA	NA	NA	374	360	389	NA	NA	NA	NA	NA	NA
Netherlands	NA	NA	NA	NA	NA	NA	6674	6252	7422	NA	NA	NA	NA	NA	NA
Austria	NA	1375	1388	NA	3256	3317	4642	4631	4705	NA	29.69	29.50	NA	70.31	70.50
Poland	NA	NA	NA	NA	NA	NA	35946	40844	41534	NA	NA	NA	NA	NA	NA
Portugal	NA	2200	2024	NA	3910	3674	6631	6110	5698	NA	36.01	35.52	NA	63.99	64.48
Romania	NA	NA	NA	NA	NA	NA	8481	9283	10147	NA	NA	NA	NA	NA	NA
Slovenia	NA	NA	420	NA	NA	2935	3274	3330	3355	NA	NA	12.52	NA	NA	87.48
Slovakia	NA	NA	693	NA	NA	3775	4468	4482	4468	NA	NA	15.51	NA	NA	84.49
Finland	NA	NA	NA	NA	NA	NA	2285	2214	2161	NA	NA	NA	NA	NA	NA

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Sweden	NA	NA	1060	NA	NA	3737	NA	5173	4797	NA	NA	22.10	NA	NA	77.90
United Kingdom	NA	5193	5179	NA	12118	12701	20483	17311	17880	NA	30.00	28.97	NA	70.00	71.03
Northern Ireland	NA	NA	NA	NA	NA	NA	NA	739	NA	NA	NA	NA	NA	NA	NA
Scotland	NA	510	488	NA	850	936	1500	1360	1424	NA	37.50	34.27	NA	62.50	65.73

Source: CEPEJ-STAT

Table 9 – Rechtspfleger

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Belgium	NA	NA	NAP	NA	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA	NA	NA
Bulgaria	NA	NA	NAP	NA	NAP	NAP	NA	NAP	NAP	NA	NA	NA	NA	NA	NA
Czech Republic	NA	350	352	NA	1600	1721	2105	1950	2073	NA	17.95	16.98	NA	82.05	83.02
Denmark	NA	NA	NA	NA	NA	NA	275	319	572	NA	NA	NA	NA	NA	NA
Germany	NA	NA	NA	NA	NA	NA	8460	8461	8482	NA	NA	NA	NA	NA	NA
Estonia	NA	5	4	NA	58	47	67	63	51	NA	7.94	7.84	NA	92.06	92.16
Ireland	NA	NA	12	NA	NA	12	29	31	24	NA	NA	50.00	NA	NA	50.00
Greece	NA	NA	NA	NA	NAP	NA	NA	NAP	NA	NA	NA	NA	NA	NA	NA
Spain	NA	1236	1221	NA	2323	2446	4456	3559	3667	NA	34.73	33.30	NA	65.27	66.70
France	NA	NA	NAP	NA	NAP	NAP	NA	NAP	NAP	NA	NA	NA	NA	NA	NA
Croatia	NA	65	71	NA	246	310	389	311	381	NA	20.90	18.64	NA	79.10	81.36
Italy	NA	NA	NAP	NA	NAP	NAP	NA	NAP	NAP	NA	NA	NA	NA	NA	NA
Cyprus	NA	NA	NAP	NA	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA	NA	NA
Latvia	NA	NA	NAP	NA	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA	NA	NA
Lithuania	NA	NA	NAP	NA	NAP	NAP	NA	NAP	NAP	NA	NA	NA	NA	NA	NA
Luxembourg	NA	NA	NAP	NA	NAP	NAP	NA	NAP	NAP	NA	NA	NA	NA	NA	NA
Hungary	NA	NA	NA	NA	NA	NA	590	767	778	NA	NA	NA	NA	NA	NA
Malta	NA	NA	NAP	NA	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA	NA	NA
Netherlands	NA	NA	NAP	NA	NAP	NAP	NA	NAP	NAP	NA	NA	NA	NA	NA	NA
Austria	NA	319	320	NA	441	465	757	760	785	NA	41.97	40.76	NA	58.03	59.24
Poland	NA	NA	537	NA	NA	1310	1865	1810	1847	NA	NA	29.07	NA	NA	70.93
Portugal	NA	NA	NAP	NA	NAP	NAP	NA	NAP	NAP	NA	NA	NA	NA	NA	NA
Romania	NA	NA	NAP	NA	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA	NA	NA
Slovenia	NA	NA	NA	NA	NA	NA	436	346	505	NA	NA	NA	NA	NA	NA
Slovakia	NA	NA	316	NA	NA	714	813	1046	1030	NA	NA	30.68	NA	NA	69.32
Finland	NA	NA	NAP	NA	NAP	NAP	NA	NAP	NAP	NA	NA	NA	NA	NA	NA

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Sweden	NA	NA	NAP	NA	NAP	NAP	NA	NAP	NAP	NA	NA	NA	NA	NA	NA
United Kingdom	NA	NA	NAP	NA	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA	NA	NA
Northern Ireland	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Scotland	NA	NA	NAP	NA	NAP	NAP	NA	NAP	NAP	NA	NA	NA	NA	NA	NA

Source: CEPEJ-STAT

Table 10 – Staff Assisting Judges

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Belgium	NA	541	585	NA	1167	1343	1768	1708	1928	NA	31.67	30.34	NA	68.33	69.66
Bulgaria	NA	NA	NA	NA	NA	NA	1679	4479	4468	NA	NA	NA	NA	NA	NA
Czech Republic	NA	181	224	NA	4282	4315	4564	4463	4539	NA	4.06	4.94	NA	95.94	95.06
Denmark	NA	NA	NA	NA	NA	NA	NA	1072	18	NA	NA	NA	NA	NA	NA
Germany	NA	NA	NA	NA	NA	NA	29143	29144	28621	NA	NA	NA	NA	NA	NA
Estonia	NA	34	36	NA	186	213	468	220	249	NA	15.45	14.46	NA	84.55	85.54
Ireland	NA	NA	282	NA	NA	489	891	787	771	NA	NA	36.58	NA	NA	63.42
Greece	NA	NA	NA	NA	NAP	NA	NA	NAP	NA	NA	NA	NA	NA	NA	NA
Spain	NA	NA	NAP	NA	NAP	NAP	NA	NAP	NAP	NA	NA	NA	NA	NA	NA
France	NA	2146	2454	NA	15517	16362	18189	17663	18816	NA	12.15	13.04	NA	87.85	86.96
Croatia	NA	421	399	NA	4227	3985	5194	4648	4384	NA	9.06	9.10	NA	90.94	90.90
Italy	NA	NA	3708	NA	NA	10052	NA	14811	13760	NA	NA	26.95	NA	NA	73.05
Cyprus	NA	NA	23	NA	NA	120	141	133	143	NA	NA	16.08	NA	NA	83.92
Latvia	NA	NA	67	NA	NA	1004	1082	1090	1071	NA	NA	6.26	NA	NA	93.74
Lithuania	NA	105	NA	NA	1243	NA	1211	1348	1369	NA	7.79	NA	NA	92.21	NA
Luxembourg	NA	NA	117	NA	NA	75	150	191	192	NA	NA	60.94	NA	NA	39.06
Hungary	NA	NA	NA	NA	NA	NA	3413	2406	907	NA	NA	NA	NA	NA	NA
Malta	NA	NA	73	NA	NA	158	274	213	231	NA	NA	31.60	NA	NA	68.40
Netherlands	NA	NA	NA	NA	NA	NA	NA	4847	NA	NA	NA	NA	NA	NA	NA
Austria	NA	1	1	NA	19	18	26	20	19	NA	5.00	5.26	NA	95.00	94.74
Poland	NA	NA	NA	NA	NA	NA	20283	23110	23428	NA	NA	NA	NA	NA	NA
Portugal	NA	1966	1860	NA	3635	3433	6010	5601	5293	NA	35.10	35.14	NA	64.90	64.86
Romania	NA	NA	NA	NA	NA	NA	5325	5489	6072	NA	NA	NA	NA	NA	NA
Slovenia	NA	NA	NA	NA	NA	NA	NA	481	1080	NA	NA	NA	NA	NA	NA
Slovakia	NA	NA	42	NA	NA	2063	2086	2079	2105	NA	NA	2.00	NA	NA	98.00
Finland	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Sweden	NA	NA	565	NA	NA	2725	2800	3500	3290	NA	NA	17.17	NA	NA	82.83
United Kingdom	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Northern Ireland	NA	NA	NA	NA	NA	NA	NA	489	NA	NA	NA	NA	NA	NA	NA
Scotland	NA	430	403	NA	800	851	1350	1230	1254	NA	34.96	32.14	NA	65.04	67.86

Source: CEPEJ-STAT

Table 11 – Administrative Non-judge Staff

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Belgium	NA	690	634	NA	2076	1840	2921	2766	2474	NA	24.95	25.63	NA	75.05	74.37
Bulgaria	NA	NA	NA	NA	NA	NA	1884	1480	1491	NA	NA	NA	NA	NA	NA
Czech Republic	NA	329	322	NA	1709	1684	1952	2038	2006	NA	16.14	16.05	NA	83.86	83.95
Denmark	NA	NA	NA	NA	NA	NA	NA	201	1091	NA	NA	NA	NA	NA	NA
Germany	NA	NA	NA	NA	NA	NA	7477	7478	7503	NA	NA	NA	NA	NA	NA
Estonia	NA	23	17	NA	466	496	339	489	513	NA	4.70	3.31	NA	95.30	96.69
Ireland	NA	NA	66	NA	NA	65	108	125	131	NA	NA	50.38	NA	NA	49.62
Greece	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Spain	NA	NA	NAP	NA	NAP	NAP	NA	NAP	NAP	NA	NA	NA	NA	NA	NA
France	NA	292	585	NA	1060	1908	1500	1352	2493	NA	21.60	23.47	NA	78.40	76.53
Croatia	NA	105	119	NA	439	460	576	544	579	NA	19.30	20.55	NA	80.70	79.45
Italy	NA	NA	1076	NA	NA	3040	NA	4542	4116	NA	NA	26.14	NA	NA	73.86
Cyprus	NA	NA	NA	NA	NA	8	141	124	8	NA	NA	NA	NA	NA	100.00
Latvia	NA	NA	36	NA	NA	318	354	351	354	NA	NA	10.17	NA	NA	89.83
Lithuania	NA	111	NA	NA	665	NA	704	776	801	NA	14.30	NA	NA	85.70	NA
Luxembourg	NA	NA	2	NA	NA	3	108	117	5	NA	NA	40.00	NA	NA	60.00
Hungary	NA	NA	NAP	NA	NA	NAP	NA	NA	NAP	NA	NA	NA	NA	NA	NA
Malta	NA	NA	NA	NA	NA	NA	100	111	59	NA	NA	NA	NA	NA	NA
Netherlands	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Austria	NA	160	160	NA	277	279	NA	437	439	NA	36.61	36.45	NA	63.39	63.55
Poland	NA	NA	NA	NA	NA	NA	7058	7239	7324	NA	NA	NA	NA	NA	NA
Portugal	NA	160	62	NA	96	39	339	256	101	NA	62.50	61.39	NA	37.50	38.61
Romania	NA	NA	NA	NA	NA	NA	1427	1486	1585	NA	NA	NA	NA	NA	NA
Slovenia	NA	NA	NA	NA	NA	NA	NA	NA	1639	NA	NA	NA	NA	NA	NA
Slovakia	NA	NA	NA	NA	NA	NA	1569	1357	NA	NA	NA	NA	NA	NA	NA
Finland	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Sweden	NA	NA	238	NA	NA	469	1179	1054	707	NA	NA	33.66	NA	NA	66.34
United Kingdom	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Northern Ireland	NA	NA	NA	NA	NA	NA	NA	116	NA	NA	NA	NA	NA	NA	NA
Scotland	NA	80	85	NA	50	85	150	130	170	NA	61.54	50.00	NA	38.46	50.00

Source: CEPEJ-STAT

Table 12 – Technical Staff

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Belgium	NA	296	248	NA	688	641	943	984	889	NA	30.08	27.90	NA	69.92	72.10
Bulgaria	NA	NA	NA	NA	NA	NA	2183	NA	NA	NA	NA	NA	NA	NA	NA
Czech Republic	NA	268	240	NA	368	374	833	636	614	NA	42.14	39.09	NA	57.86	60.91
Denmark	NA	NA	NA	NA	NA	NA	NA	67	68	NA	NA	NA	NA	NA	NA
Germany	NA	NA	NA	NA	NA	NA	1280	1281	1119	NA	NA	NA	NA	NA	NA
Estonia	NA	63	65	NA	75	96	91	138	161	NA	45.65	40.37	NA	54.35	59.63
Ireland	NA	NA	1	NA	NA	NA	NA	2	1	NA	NA	100.00	NA	NA	NA
Greece	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Spain	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
France	NA	774	863	NA	190	188	927	964	1051	NA	80.29	82.11	NA	19.71	17.89
Croatia	NA	279	279	NA	452	438	785	731	717	NA	38.17	38.91	NA	61.83	61.09
Italy	NA	NA	276	NA	NA	212	NA	497	488	NA	NA	56.56	NA	NA	43.44
Cyprus	NA	NA	118	NA	NA	33	133	129	151	NA	NA	78.15	NA	NA	21.85
Latvia	NA	NA	30	NA	NA	114	160	160	144	NA	NA	20.83	NA	NA	79.17
Lithuania	NA	157	NA	NA	268	NA	426	425	353	NA	36.94	NA	NA	63.06	NA
Luxembourg	NA	NA	1	NA	NA	NA	5	7	1	NA	NA	100.00	NA	NA	NA
Hungary	NA	NA	NA	NA	NA	NA	3710	NA	NA	NA	NA	NA	NA	NA	NA
Malta	NA	NA	9	NA	NA	NA	NA	8	9	NA	NA	100.00	NA	NA	NA
Netherlands	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Austria	NA	9	10	NA	24	13	43	33	23	NA	27.27	43.48	NA	72.73	56.52
Poland	NA	NA	NA	NA	NA	NA	3536	3487	3741	NA	NA	NA	NA	NA	NA
Portugal	NA	72	58	NA	179	169	273	251	227	NA	28.69	25.55	NA	71.31	74.45
Romania	NA	NA	NA	NA	NA	NA	1729	1762	1854	NA	NA	NA	NA	NA	NA
Slovenia	NA	NA	NA	NA	NA	NA	NA	NA	131	NA	NA	NA	NA	NA	NA
Slovakia	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Finland	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Sweden	NA	NA	54	NA	NA	52	NA	119	106	NA	NA	50.94	NA	NA	49.06
United Kingdom	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Northern Ireland	NA	NA	NA	NA	NA	NA	NA	6	NA	NA	NA	NA	NA	NA	NA
Scotland	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

Source: CEPEJ-STAT

Table 13 – Other Non-judge Staff

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Belgium	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Bulgaria	NA	NA	NA	NA	NA	NA	120	55	55	NA	NA	NA	NA	NA	NA
Czech Republic	NA	18	21	NA	30	56	44	48	77	NA	37.5	27.27	NA	62.50	72.73
Denmark	NA	NA	NA	NA	NA	NA	NA	164	5	NA	NA	NA	NA	NA	NA
Germany	NA	NA	NA	NA	NA	NA	7285	7285	7577	NA	NA	NA	NA	NA	NA
Estonia	NA	NA	4	NA	NA	39	11	47	43	NA	NA	9.30	NA	NA	90.70
Ireland	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Greece	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Spain	NA	NA	NA	NA	NA	NA	NA	NA	44896	NA	NA	NA	NA	NA	NA
France	NA	NA	NA	NA	NA	NA	489	1779	NA	NA	NA	NA	NA	NA	NA
Croatia	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Italy	NA	NA	2307	NA	NA	1232	NA	3822	3539	NA	NA	65.19	NA	NA	34.81
Cyprus	NA	NA	37	NA	NA	123	48	38	160	NA	NA	23.13	NA	NA	76.88
Latvia	NA	NA	3	NA	NA	6	5	7	9	NA	NA	33.33	NA	NA	66.67
Lithuania	NA	NA	NA	NA	NA	NA	315	70	85	NA	NA	NA	NA	NA	NA
Luxembourg	NA	NA	NA	NA	NA	NA	40	40	NA	NA	NA	NA	NA	NA	NA
Hungary	NA	NA	NA	NA	NA	NA	NA	4969	6337	NA	NA	NA	NA	NA	NA
Malta	NA	NA	70	NA	NA	20	NA	28	90	NA	NA	77.78	NA	NA	22.22
Netherlands	NA	NA	NA	NA	NA	NA	NA	1405	NA	NA	NA	NA	NA	NA	NA
Austria	NA	886	897	NA	2495	2542	NA	3381	3439	NA	26.21	26.08	NA	73.79	73.92
Poland	NA	NA	NA	NA	NA	NA	3204	5198	5194	NA	NA	NA	NA	NA	NA
Portugal	NA	NA	44	NA	NA	33	9	2	77	NA	NA	57.14	NA	NA	42.86
Romania	NA	NA	NA	NA	NA	NA	544	546	636	NA	NA	NA	NA	NA	NA
Slovenia	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Slovakia	NA	NA	335	NA	NA	998	NA	NA	1333	NA	NA	25.13	NA	NA	74.87
Finland	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Sweden	NA	NA	203	NA	NA	491	NA	500	694	NA	NA	29.25	NA	NA	70.75
United Kingdom	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Northern Ireland	NA	NA	NA	NA	NA	NA	NA	128	NA	NA	NA	NA	NA	NA	NA
Scotland	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

Source: CEPEJ-STAT

Table 14 - Prosecutors

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Belgium	444	408	413	391	419	440	835	827	853	53.17	49.33	48.42	46.83	50.67	51.58
Bulgaria	NA	NA	NA	NA	NA	NA	1455	1466	1466	NA	NA	NA	NA	NA	NA
Czech Republic	590	590	573	650	652	659	1240	1242	1232	47.58	47.50	46.51	52.42	52.50	53.49
Denmark	273	186	222	475	380	468	748	566	690	36.50	32.86	32.17	63.50	67.14	67.83
Germany	3093	3093	2956	2152	2152	2267	5245	5245	5223	58.97	58.97	56.60	41.03	41.03	43.40
Estonia	NA	52	53	NA	116	115	175	168	168	NA	30.95	31.55	NA	69.05	68.45
Ireland	38	40	39	44	49	50	82	89	89	46.34	44.94	43.82	53.66	55.06	56.18
Greece	278	264	245	265	285	335	543	549	580	51.20	48.09	42.24	48.80	51.91	57.76
Spain	963	925	899	1445	1520	1526	2408	2445	2425	39.99	37.83	37.07	60.01	62.17	62.93
France	1031	977	931	930	924	951	1961	1901	1882	52.58	51.39	49.47	47.42	48.61	50.53
Croatia	252	232	191	367	385	374	619	617	565	40.71	37.60	33.81	59.29	62.40	66.19
Italy	1232	1103	1249	746	797	839	1978	1900	2088	62.29	58.05	59.82	37.71	41.95	40.18
Cyprus	26	29	21	80	83	89	106	112	110	24.53	25.89	19.09	75.47	74.11	80.91
Latvia	140	182	176	250	269	281	390	451	457	35.90	40.35	38.51	64.10	59.65	61.49
Lithuania	475	397	366	359	370	354	834	767	720	56.95	51.76	50.83	43.05	48.24	49.17
Luxembourg	25	25	25	21	22	22	46	47	47	54.35	53.19	53.19	45.65	46.81	46.81
Hungary	685	741	744	1056	1071	1125	1741	1812	1869	39.35	40.89	39.81	60.65	59.11	60.19
Malta	6	6	3	5	9	9	11	15	12	54.55	40.00	25.00	45.45	60.00	75.00
Netherlands	368	356	331	413	434	465	781	790	796	47.12	45.06	41.58	52.88	54.94	58.42
Austria	185	178	172	161	171	173	346	349	345	53.47	51.00	49.86	46.53	49.00	50.14
Poland	2641	2880	2734	3027	3179	3143	5668	6059	5877	46.59	47.53	46.52	53.41	52.47	53.48
Portugal	609	606	562	866	959	914	1475	1565	1476	41.29	38.72	38.08	58.71	61.28	61.92
Romania	1086	1231	1263	1240	1326	1359	2326	2557	2622	46.69	48.14	48.17	53.31	51.86	51.83
Slovenia	55	62	61	110	127	133	165	189	194	33.33	32.80	31.44	66.67	67.20	68.56
Slovakia	499	NA	470	436	NA	478	935	901	948	53.37	NA	49.58	46.63	NA	50.42
Finland	206	209	180	166	193	183	372	402	363	55.38	51.99	49.59	44.62	48.01	50.41

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Sweden	384	324	418	617	691	597	1001	1013	1015	38.36	31.98	41.18	61.64	68.21	58.82
United Kingdom	NA	1099	980	NA	1438	1267	2866	2537	2247	NA	43.32	43.61	NA	56.68	56.39
Northern Ireland	NA	67	NA	NA	109	NA	169	176	161	NA	38.07	NA	NA	61.93	NA
Scotland	NA	205	170	NA	350	301	NA	555	471	NA	36.94	36.09	NA	63.06	63.91

Source: CEPEJ-STAT

Table 15 – Prosecutors in First Instance

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Belgium	317	291	296	346	370	383	663	661	679	47.81	44.02	43.59	52.19	55.98	56.41
Bulgaria	NA	NA	NA	NA	NA	NA	924	934	934	NA	NA	NA	NA	NA	NA
Czech Republic	379	365	345	478	482	488	857	847	833	44.22	43.09	41.42	55.78	56.91	58.58
Denmark	186	130	165	363	291	364	549	421	529	33.88	30.88	31.19	66.12	69.12	68.81
Germany	2755	2755	2619	2014	2014	2124	4769	4769	4743	57.77	57.77	55.22	42.23	42.23	44.78
Estonia	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA	NA	NA
Ireland	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA	NA	NA
Greece	159	145	136	221	231	250	380	376	386	41.84	38.56	35.23	58.16	61.44	64.77
Spain	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA	NA	NA
France	664	655	643	735	738	747	1399	1393	1390	47.46	47.02	46.26	52.54	52.98	53.74
Croatia	167	133	122	270	308	283	437	441	405	38.22	30.16	30.12	61.78	69.84	69.88
Italy	1008	891	1023	692	729	767	1700	1620	1790	59.29	55.00	57.15	40.71	45.00	42.85
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA	NA	NA
Latvia	82	102	104	172	189	192	254	291	296	32.28	35.05	35.14	67.72	64.95	64.86
Lithuania	310	354	325	250	338	322	560	692	647	55.36	51.16	50.23	44.64	48.84	49.77
Luxembourg	19	19	13	15	15	21	34	34	34	55.88	55.88	38.24	44.12	44.12	61.76
Hungary	425	427	411	689	718	744	1114	1145	1155	38.15	37.29	35.58	61.85	62.71	64.42
Malta	NAP	NA	NA	NAP	NA	NA	NAP	NA	NA	NA	NA	NA	NA	NA	NA
Netherlands	310	NA	283	381	NA	425	691	NA	708	44.86	NA	39.97	55.14	NA	60.03
Austria	156	151	147	141	154	162	297	305	309	52.53	49.51	47.57	47.47	50.49	52.43
Poland	1466	1709	1629	2115	2282	2276	3581	3991	3905	40.94	42.82	41.72	59.06	57.18	58.28
Portugal	557	551	511	836	914	874	1393	1465	1385	39.99	37.61	36.90	60.01	62.39	63.10
Romania	515	602	573	591	615	611	1106	1217	1184	46.56	49.47	48.40	53.44	50.53	51.60
Slovenia	42	NA	38	94	NA	106	136	141	144	30.88	NA	26.39	69.12	NA	73.61
Slovakia	323	NA	296	308	NA	345	631	NA	641	51.19	NA	46.18	48.81	NA	53.82
Finland	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA	NA	NA

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Sweden	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA	NA	NA
United Kingdom	NA	1099	980	NA	1438	1267	2866	2537	2247	NA	43.32	43.61	NA	56.68	56.39
Northern Ireland	NA	36	NA	NA	75	NA	NA	111	NA	NA	32.43	NA	NA	67.57	NA
Scotland	192	183	170	304	337	301	496	520	471	38.71	35.19	36.09	61.29	64.81	63.91

Source: CEPEJ-STAT

Table 16 – Prosecutors in Second Instance

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Belgium	113	105	104	44	49	57	157	154	161	71.97	68.18	64.60	28.03	31.82	35.40
Bulgaria	NA	NA	NA	NA	NA	NA	412	413	413	NA	NA	NA	NA	NA	NA
Czech Republic	126	189	192	119	151	153	245	340	345	51.43	55.59	55.65	48.57	44.41	44.35
Denmark	65	40	45	75	58	64	140	98	109	46.43	40.82	41.28	53.57	59.18	58.72
Germany	263	263	260	112	112	121	375	375	381	70.13	70.13	68.24	29.87	29.87	31.76
Estonia	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA	NA	NA
Ireland	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA	NA	NA
Greece	101	102	95	43	52	80	144	154	175	70.14	66.23	54.29	29.86	33.77	45.71
Spain	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA	NA	NA
France	321	280	245	186	174	190	507	454	435	63.31	61.67	56.32	36.69	38.33	43.68
Croatia	72	88	58	86	67	80	158	155	138	45.57	56.77	42.03	54.43	43.23	57.97
Italy	171	162	175	50	64	67	221	226	242	77.38	71.68	72.31	22.62	28.32	27.69
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA	NA	NA
Latvia	35	43	37	45	45	47	80	88	84	43.75	48.86	44.05	56.25	51.14	55.95
Lithuania	112	NAP	NAP	70	NAP	NAP	182	NAP	NAP	61.54	NA	NA	38.46	NA	NA
Luxembourg	NA	NAP	NAP	NA	NAP	NAP	NA	NAP	NAP	NA	NA	NA	NA	NA	NA
Hungary	215	257	273	306	309	328	521	566	601	41.27	45.41	45.42	58.73	54.59	54.58
Malta	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Netherlands	58	NA	48	32	NA	40	90	NA	88	64.44	NA	54.55	35.56	NA	45.45
Austria	20	12	13	15	6	8	35	18	21	57.14	66.67	61.90	42.86	33.33	38.10
Poland	1140	1107	1062	898	874	842	2038	1981	1904	55.94	55.88	55.78	44.06	44.12	44.22
Portugal	49	46	51	25	38	40	74	84	91	66.22	54.76	56.04	33.78	45.24	43.96
Romania	343	352	413	422	445	470	765	797	883	44.84	44.17	46.77	55.16	55.83	53.23
Slovenia	6	NA	17	9	NA	20	15	35	37	40.00	NA	45.95	60.00	NA	54.05
Slovakia	104	NA	105	85	NA	84	189	NA	189	55.03	NA	55.56	44.97	NA	44.44
Finland	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA	NA	NA

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Sweden	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA	NA	NA
United Kingdom	NA	370	265	NA	282	176	986	652	440	NA	56.75	60.23	NA	43.25	40.00
Northern Ireland	NA	28	NA	NA	33	NA	NA	61	NA	NA	45.90	NA	NA	54.10	NA
Scotland	NA	22	NA	NA	13	NA	NA	35	NA	NA	62.86	NA	NA	37.14	NA

Source: CEPEJ-STAT

Table 17 – Prosecutors in Supreme Court

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Belgium	14	12	13	1	0	0	15	12	13	93.33	100.00	100.00	6.67	0.00	0.00
Bulgaria	NA	NA	NA	NA	NA	NA	119	119	119	NA	NA	NA	NA	NA	NA
Czech Republic	85	36	36	53	19	18	138	55	54	61.59	65.45	66.67	38.41	34.55	33.33
Denmark	22	16	12	37	31	40	59	47	52	37.29	34.04	23.08	62.71	65.96	76.92
Germany	75	75	77	25	25	22	100	100	99	75.00	75.00	77.78	25.00	25.00	22.22
Estonia	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA	NA	NA
Ireland	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA	NA	NA
Greece	18	17	14	1	2	5	19	19	19	94.74	89.47	73.68	5.26	10.53	26.32
Spain	19	NA	43	7	NA	16	26	NA	59	73.08	NA	72.88	26.92	NA	27.12
France	46	42	43	9	12	14	55	54	57	83.64	77.78	75.44	16.36	22.22	24.56
Croatia	13	11	11	11	10	11	24	21	22	54.17	52.38	50.00	45.83	47.62	50.00
Italy	53	50	51	4	4	5	57	54	56	92.98	92.59	91.07	7.02	7.41	8.93
Cyprus	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA	NA	NA
Latvia	23	37	35	33	35	42	56	72	77	41.07	51.39	45.45	58.93	48.61	54.55
Lithuania	53	43	41	39	32	32	92	75	73	57.61	57.33	56.16	42.39	42.67	43.84
Luxembourg	6	6	5	6	7	8	12	13	13	50.00	46.15	38.46	50.00	53.85	61.54
Hungary	45	57	60	61	44	53	106	101	113	42.45	56.44	53.10	57.55	43.56	46.90
Malta	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Netherlands	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA	NA	NA
Austria	9	11	12	5	5	4	14	15	15	64.29	73.33	80.00	35.71	33.33	26.67
Poland	35	64	43	14	23	25	49	87	68	71.43	73.56	63.24	28.57	26.44	36.76
Portugal	3	9	11	5	7	6	8	16	17	37.50	56.25	64.71	62.50	43.75	35.29
Romania	228	277	277	227	266	278	455	543	555	50.11	51.01	49.91	49.89	48.99	50.09
Slovenia	7	NA	6	7	NA	7	14	13	13	50.00	NA	46.15	50.00	NA	53.85
Slovakia	72	NA	69	43	NA	49	115	114	118	62.61	NA	58.47	37.39	NA	41.53
Finland	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA	NA	NA

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Sweden	6	8	5	4	5	8	10	13	13	60.00	61.54	38.46	40.00	38.46	61.54
United Kingdom	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Northern Ireland	NA	3	NA	NA	1	NA	NA	4	NA	NA	75.00	NA	NA	25.00	NA
Scotland	NA	22	NA	NA	13	NA	NA	35	NA	NA	62.86	NA	NA	37.14	NA

Source: CEPEJ-STAT

Table 18 – Head of Prosecutor's Office

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Belgium	38	36	25	14	16	4	52	52	29	73.08	69.23	86.21	26.92	30.77	13.79
Bulgaria	100	NA	NA	51	NA	NA	151	155	155	66.23	NA	NA	33.77	NA	NA
Czech Republic	49	51	54	45	42	41	94	93	95	52.13	54.84	56.84	47.87	45.16	43.16
Denmark	12	11	9	10	6	8	22	17	17	54.55	64.71	52.94	45.45	35.29	47.06
Germany	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Estonia	NAP	3	2	NAP	4	3	NAP	7	5	NA	42.86	40.00	NA	57.14	60.00
Ireland	1	0	0	0	1	1	1	1	1	100.00	0.00	0.00	0.00	100.00	100.00
Greece	NA	44	85	NA	39	101	83	83	186	NA	53.01	45.70	NA	46.99	54.30
Spain	81	77	80	33	36	36	114	113	116	71.05	68.14	68.97	28.95	31.86	31.03
France	157	160	146	37	37	48	194	197	194	80.93	81.22	75.26	19.07	18.78	24.74
Croatia	13	19	13	12	24	26	25	43	39	52.00	44.19	33.33	48.00	55.81	66.67
Italy	183	178	148	19	23	22	202	201	170	90.59	88.56	87.06	9.41	11.44	12.94
Cyprus	6	5	4	6	4	5	12	9	9	50.00	55.56	44.44	50.00	44.44	55.56
Latvia	35	33	36	23	23	25	58	56	61	60.34	58.93	59.02	39.66	41.07	40.98
Lithuania	NA	NA	67	NA	NA	22	190	NA	89	NA	8.28	75.28	NA	1.38	24.72
Luxembourg	3	3	2	1	0	1	4	3	3	75.00	100.00	66.67	25.00	0.00	33.33
Hungary	93	104	104	69	63	59	162	167	163	57.41	62.28	63.80	42.59	37.72	36.20
Malta	NA	NA	1	NA	NA	0	1	1	1	NA	NA	100.00	NA	NA	0.00
Netherlands	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Austria	16	17	17	6	8	10	22	25	27	72.73	68.00	62.96	27.27	32.00	37.04
Poland	248	514	460	166	419	421	414	933	881	59.90	55.09	52.21	40.10	44.91	47.79
Portugal	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Romania	138	125	137	125	152	140	263	277	277	52.47	45.13	49.46	47.53	54.87	50.54
Slovenia	6	8	8	8	5	5	14	13	13	42.86	61.54	61.54	57.14	38.46	38.46
Slovakia	117	NA	38	86	NA	23	203	63	61	57.64	NA	62.30	42.36	NA	37.70
Finland	15	13	11	2	2	2	17	15	13	88.24	86.67	84.62	11.76	13.33	15.38

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Sweden	22	26	25	17	20	14	39	46	39	56.41	56.52	64.10	43.59	43.48	35.90
United Kingdom	NA	28	24	NA	26	29	59	54	53	NA	51.85	45.28	NA	48.15	54.72
Northern Ireland	6	6	NA	2	2	NA	8	8	1	75.00	75.00	NA	25.00	25.00	NA
Scotland	NA	NA	6	NA	NA	3	NA	NA	9	NA	NA	66.67	NA	NA	33.33

Source: CEPEJ-STAT

Table 19 – Head of Prosecutor's Office, First Instance Court

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Belgium	31	30	19	14	15	3	45	45	22	68.89	66.67	86.36	31.11	33.33	13.64
Bulgaria	67	NA	NA	42	NA	NA	109	113	113	61.47	NA	NA	38.53	NA	NA
Czech Republic	43	44	47	41	38	37	84	82	84	51.19	53.66	55.95	48.81	46.34	44.05
Denmark	7	7	5	5	5	7	12	12	12	58.33	58.33	41.67	41.67	41.67	58.33
Germany	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Estonia	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA	NA	NA
Ireland	1	NAP	NAP	0	NAP	NAP	1	NAP	NAP	100.00	NA	NA	0.00	NA	NA
Greece	NA	28	54	NA	35	86	63	63	140	NA	44.44	38.57	NA	55.56	61.43
Spain	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA	NA	NA
France	125	129	123	32	31	35	157	160	158	79.62	80.63	77.85	20.38	19.38	22.15
Croatia	5	11	8	6	16	17	11	27	25	45.45	40.74	32.00	54.55	59.26	68.00
Italy	159	153	128	19	23	22	178	176	150	89.33	86.93	85.33	10.67	13.07	14.67
Cyprus	NA	NAP	NAP	NA	NAP	NAP	NA	NAP	NAP	NA	NA	NA	NA	NA	NA
Latvia	20	21	24	18	16	17	38	37	41	52.63	56.76	58.54	47.37	43.24	41.46
Lithuania	NA	10	58	NA	2	19	51	12	77	NA	83.33	75.32	NA	16.67	24.68
Luxembourg	2	2	2	0	0	0	2	2	2	100.00	100.00	100.00	0.00	0.00	0.00
Hungary	71	82	81	64	58	55	135	140	136	52.59	58.57	59.56	47.41	41.43	40.44
Malta	NA	NA	NAP	NA	NA	NAP	1	NA	NAP	NA	NA	NA	NA	NA	NA
Netherlands	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Austria	12	11	13	5	7	7	17	18	20	70.59	61.11	65.00	29.41	38.89	35.00
Poland	205	405	359	152	382	384	357	787	743	57.42	51.46	48.32	42.58	48.54	51.68
Portugal	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Romania	83	73	76	74	89	77	157	162	153	52.87	45.06	49.67	47.13	54.94	50.33
Slovenia	6	7	7	5	5	5	11	12	12	54.55	58.33	58.33	45.45	41.67	41.67
Slovakia	63	NA	32	49	NA	20	112	54	52	56.25	NA	61.54	43.75	NA	38.46
Finland	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA	NA	NA

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Sweden	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA	NA	NA
United Kingdom	NA	28	24	NA	26	29	59	54	53	NA	51.85	45.28	NA	48.15	54.72
Northern Ireland	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Scotland	23	5	6	17	3	3	40	8	9	57.50	62.50	66.67	42.50	37.50	33.33

Source: CEPEJ-STAT

Table 20 – Head of Prosecutor's Office, Second Instance Court

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Belgium	6	5	5	0	1	1	6	6	6	100	83.33	83.33	0.00	16.67	16.67
Bulgaria	32	NA	NA	9	NA	NA	41	41	41	78.05	NA	NA	21.95	NA	NA
Czech Republic	4	6	6	3	4	4	7	10	10	57.14	60.00	60.00	42.86	40.00	40.00
Denmark	3	3	3	5	1	1	8	4	4	37.50	75.00	75.00	62.50	25.00	25.00
Germany	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Estonia	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA	NA	NA
Ireland	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA	NA	NA
Greece	NA	15	31	NA	4	14	19	19	45	NA	78.95	68.89	NA	21.05	31.11
Spain	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA	NA	NA
France	31	30	22	5	6	13	36	36	35	86.11	83.33	62.86	13.89	16.67	37.14
Croatia	7	7	4	6	8	9	13	15	13	53.85	46.67	30.77	46.15	53.33	69.23
Italy	23	24	19	0	0	0	23	24	19	100.00	100.00	100.00	0.00	0.00	0.00
Cyprus	NA	NAP	NAP	NA	NAP	NAP	NA	NAP	NAP	NA	NA	NA	NA	NA	NA
Latvia	8	6	6	1	4	4	9	10	10	88.89	60.00	60.00	11.11	40.00	40.00
Lithuania	5	NAP	NAP	0	NAP	NAP	5	NAP	NAP	100.00	NA	NA	0.00	NA	NA
Luxembourg	NA	NAP	NAP	NA	NAP	NAP	NA	NAP	NAP	NA	NA	NA	NA	NA	NA
Hungary	21	21	22	5	5	4	26	26	26	80.77	80.77	84.62	19.23	19.23	15.38
Malta	NA	NA	NAP	NA	NA	NAP	NA	NA	NAP	NA	NA	NA	NA	NA	NA
Netherlands	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Austria	3	6	4	1	1	2	4	7	6	75.00	85.71	66.67	25.00	14.29	33.33
Poland	42	104	98	14	36	36	56	140	134	75.00	74.29	73.13	25.00	25.71	26.87
Portugal	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Romania	52	51	56	47	62	60	99	113	116	52.53	45.13	48.28	47.47	54.87	51.72
Slovenia	0	NAP	NAP	2	NAP	NAP	2	NAP	NAP	0.00	NA	NA	100.00	NA	NA
Slovakia	33	NA	5	26	NA	3	59	8	8	55.93	NA	62.50	44.07	NA	37.50
Finland	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA	NA	NA

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Sweden	NAP	NA	NAP	NAP	NA	NAP	NAP	NA	NAP	NA	NA	NA	NA	NA	NA
United Kingdom	NA	28	24	NA	26	29	59	54	53	NA	51.85	45.28	NA	48.15	54.72
Northern Ireland	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Scotland	NA	NA	NAP	NA	NA	NAP	NA	NA	NAP	NA	NA	NA	NA	NA	NA

Source: CEPEJ-STAT

Table 21 – Head of Prosecutor's Office, Supreme Court

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Belgium	1	1	1	0	0	0	1	1	1	100	100	100	0	0	0
Bulgaria	1	NA	NA	0	NA	NA	1	1	1	100	NA	NA	0	NA	NA
Czech Republic	2	1	1	1	0	0	3	1	1	66.67	100.00	100.00	33.33	0.00	0.00
Denmark	2	1	1	0	0	0	2	1	1	100.00	100.00	100.00	0.00	0.00	0.00
Germany	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Estonia	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA	NA	NA
Ireland	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA	NA	NA
Greece	NA	1	0	NA	0	1	1	1	1	NA	100.00	0.00	NA	0.00	100.00
Spain	19	5	6	7	2	2	26	7	8	73.08	71.43	75.00	26.92	28.57	25.00
France	1	1	1	0	0	0	1	1	1	100.00	100.00	100.00	0.00	0.00	0.00
Croatia	1	1	1	0	0	0	1	1	1	100.00	100.00	100.00	0.00	0.00	0.00
Italy	1	1	1	0	0	0	1	1	1	100.00	100.00	100.00	0.00	0.00	0.00
Cyprus	NA	NAP	NAP	NA	NAP	NAP	NA	NAP	NAP	NA	NA	NA	NA	NA	NA
Latvia	7	6	6	4	3	4	11	9	10	63.64	66.67	60.00	36.36	33.33	40.00
Lithuania	3	2	9	2	0	3	5	2	12	60.00	100.00	75.00	40.00	0.00	25.00
Luxembourg	1	1	0	1	0	1	2	1	1	50.00	100.00	0.00	50.00	0.00	100.00
Hungary	1	1	1	0	0	0	1	1	1	100.00	100.00	100.00	0.00	0.00	0.00
Malta	NA	NA	NAP	NA	NA	NAP	NA	NA	NAP	NA	NA	NA	NA	NA	NA
Netherlands	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Austria	1	NA	NA	0	NA	NA	1	1	1	100.00	NA	NA	0.00	NA	NA
Poland	1	5	3	0	1	1	1	6	4	100.00	83.33	75.00	0.00	16.67	25.00
Portugal	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Romania	3	1	5	4	1	3	7	2	8	42.86	50.00	62.50	57.14	50.00	37.50
Slovenia	0	1	1	1	0	0	1	1	1	0.00	100.00	100.00	100.00	0.00	0.00
Slovakia	21	1	1	11	0	0	32	1	1	65.63	100.00	100.00	34.38	0.00	0.00
Finland	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NAP	NA	NA	NA	NA	NA	NA

Member State	Male			Female			TOTAL			Male Percent			Female Percent		
	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014	2010	2012	2014
Sweden	2	5	1	1	2	2	3	7	3	66.67	71.43	33.33	33.33	28.57	66.67
United Kingdom	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Northern Ireland	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Scotland	NA	NA	NAP	NA	NA	NAP	NA	NA	NAP	NA	NA	NA	NA	NA	NA

Source: CEPEJ-STAT

Table 22 – Members of the Bar in EU Member States 2004, 2005, 2006 and 2008 by gender and number

Member State	Total 2004	Women 2004	Men 2004	Total 2005	Women 2005	Men 2005	Total 2006	Women 2006	Men 2006	Total 2008	Women 2008	Men 2008
Belgium	12672	NA	NA	14529	5712	8817	6727	2807	3920	15363	NA	NA
Bulgaria	10206	NA	NA	11353	3834	7519	11573	6018	5555	11511	5690	5821
Czech Republic	8937	3229	NA	7947	2947	5000	10084	3667	6417	8020	2862	5158
Denmark	4490	1037	3453	4635	1106	3529	4901	1243	3658	5246	1394	3852
Germany	121420	32579	88841	133113	37953	95160	138679	40440	98239	146910	44703	102207
Estonia	425	141	284	447	169	278	341	221	120	676	268	408
Ireland	1479	537	942	7500	NA	NA	1156	749	407	2008	811	1197
Greece	33727	15919	17808	35000	14000	21000	36000	NA	NA	38000	18240	19760
Spain	146214		NA	148543	NA	NA	151542	56000	95542	154953	NA	NA
France	34454	19290	15164	47354	22399	24955	45686	22309	23377	47765	23619	24146
Croatia	2568	860	1708	2706	937	1769	NA	NA	NA	NA	NA	NA
Italy	129071		NA	128000	50000	78000	180000	73099	106901	213081	97281	115800
Cyprus	1455	562	893	1577	617	960	1025	696	329	1781	733	1048
Latvia	NAP	NAP	NAP	833	396	437	992	489	503	1091	540	551
Lithuania	NAP	NAP	NAP	1382	455	927	999	NA	NA	1590	509	1081
Luxembourg	941	376	565	718	369	349	1262	631	631	1318	527	791
Hungary	8800	NA	NA	8900	3540	5360	9717	NA	NA	9934	4967	4967
Malta	NAP	NAP	NAP	NA	NA	NA	NA	NA	NA	393	81	312
Netherlands	12743	4842	7901	13111	4958	8153	14251	5577	8674	14882	5964	8918
Austria	4494	605	3889	4678	325	4353	4234	720	3514	5129	829	4300
Poland	7672	NA	NA	21500	10700	10800	8488	2524	5964	34181	15974	18207
Portugal	21726	10379	11347	22575	10942	11633	26001	12675	13326	25695	12988	12707
Romania	14800	NA	NA	NA	NA	NA	16998	NA	NA	16998		NA
Slovenia	962	340	622	992	351	641	687	402	285	1153	435	718
Slovakia	3831	1508	2323	3994	1573	2421	4302	1704	2598	4595	1813	2782
Finland	1662	377	1285	1735	413	1322	1761	437	1324	1810	456	1354
Sweden	4129	757	3372	4321	812	3509	4415	899	3516	4503	944	3559

Member State	Total 2004	Women 2004	Men 2004	Total 2005	Women 2005	Men 2005	Total 2006	Women 2006	Men 2006	Total 2008	Women 2008	Men 2008
United Kingdom	NA	NA	NA	123500	NA	NA	151043	66156	84887	NA		NA
England and Wales	106737	41225	65512	NA	NA	NA	NA	NA	NA	139789	62825	NA
Northern Ireland	2710	1023	1687	NA	NA	NA	NA	NA	NA	3283	1522	NA
Scotland	9422	3663	5759	NA	NA	NA	NA	NA	NA	12251	6732	5519

Source: CCBE

Table 23 – Members of the Bar in EU Member States 2010, 2012, 2014 and 2015 by gender and number

Member State	Total 2004	Women 2004	Men 2004	Total 2005	Women 2005	Men 2005	Total 2006	Women 2006	Men 2006	Total 2008	Women 2008	Men 2008
Belgium	16065	3566	NA	16904	NA	NA	17943	NA	NA	18174	NA	NA
Bulgaria	NA	NA	NA	11829	5671	6158	12288	6390	5898	12629	6441	6188
Czech Republic	10049	3717	6332	9730	3670	6060	11394	3942	7452	12015	4228	7787
Denmark	5562	1555	4007	5828	1775	4053	5989	1914	4075	NA	NA	NA
Germany	153251	48393	104858	158426	51585	106841	163690	54139	109551	161513	54912	106601
Estonia	695	299	396	792	341	451	879	382	497	947	424	523
Ireland	9346	3779	5567	11825	5646	6179	2284	906	1378	2243	880	1363
Greece	41000	22550	18450	21776	12228	9548	21624	12282	9342	21439	12276	9163
Spain	161988	NA	NA	180869	NA	NA	245874	NA	NA	253190	105580	147610
France	50314	25408	24906	53744	27906	25838	58224	31020	27204	60223	32531	27692
Croatia	NA	NA	NA	NA	NA	NA	NA	NA	NA	4483	1917	2566
Italy	NA	NA	NA	233852	107720	NA	NA	NA	NA	246786	115494	131292
Cyprus	2056	881	1175	2424	1126	1298	NA	NA	NA	2994	1505	1489
Latvia	1297	623	674	1350	675	675	1338	659	679	NA	NA	NA
Lithuania	1680	596	1084	1796	672	1124	2014	769	1245	2074	796	1278
Luxembourg	1771	810	961	1957	884	1073	NA	NA	NA	NA	NA	NA
Hungary	11784	5056	6728	12381	5416	6965	12481	5478	7003	12512	5490	7022
Malta	NA	NA	NA	767	259	508	NA	NA	NA	NA	NA	NA
Netherlands	15542	6338	9204	16942	7206	9736	17486	7533	9953	NA	NA	NA
Austria	5496	974	4522	5715	1050	4665	5805	1143	4662	5940	1210	4730
Poland	NA	NA	NA	40555	NA	NA	49624	23885	25739	36582	19313	17269
Portugal	27188	13994	13194	27870	14484	13386	28852	15297	13555	29240	15607	13633
Romania	NA	NA	NA	24115	NA	NA	NA	NA	NA	23784	NA	NA
Slovenia	1330	545	785	824	593	231	1548	666	882	1611	711	900
Slovakia	4964	1962	3002	5296	2136	3160	5695	3158	2537	5867	2437	3430
Finland	1893	488	1405	1927	497	1430	2005	560	1445	2048	589	1459
Sweden	4601	1010	3591	5146	1310	3836	5456	1505	3951	5618	1611	4007

Member State	Total 2004	Women 2004	Men 2004	Total 2005	Women 2005	Men 2005	Total 2006	Women 2006	Men 2006	Total 2008	Women 2008	Men 2008
United Kingdom	NA		NA	NA		NA	NA	NA	NA	NA	NA	NA
England and Wales	12241	3860	8381	175105	75665	99440	NA	NA	NA	168303	81043	87260
Northern Ireland	2444	1101	1343	2657	1248	1409	NA	NA	NA	19960	7640	12320
Scotland	10380	4825	5555	13736	6695	7041	NA	NA	NA	NA	NA	NA

Source: CCBE. For Germany 2015 data from the Federal German Bar Association:

http://www.brak.de/w/files/04_fuer_journalisten/statistiken/2016/rechtsanwaeltinnen-1970-2016.pdf

Table 24 – Male and Female full-time and part-time work

	Male	Female	Male Percent	Female Percent
Full time	274	1038	83.5	81.7
Part time	27	233	16.5	18.3
Total	301	1271	100	100

Source: IBA survey

Table 25 – Female Partners or Principals, Average Percent

Number of partners in firm	Number of respondents	Average Percent of female partners
1-4	372	41.1
5-10	187	26.4
11-20	178	19.4
21-39	123	20.5
40+	533	18.5

Source: IBA survey

Table 26 – Male and Female Civil Litigation respondents, full time and part time work

Civil Litigation	Male	Female	Male percent	Female Percent
Full time	130	310	89.7	80.5
Part time	15	75	10.3	19.5
Total	145	385	100.0	100.0

Source: IBA survey

Table 27 – Notaries in Ireland, UK E+W, UK NI by gender

	Male notaries	Female Notaries	Male Percent	Female Percent
IE	210	53	79.85	20.15
UK-E+W	560	208	72.92	27.08
UK-NI	26	9	74.29	25.71
TOTAL	796	270		
Average			74.7	25.3

Source: Notaries websites

Table 28 – Board members of National Notarial Organisations in 2010, by gender and number

Country	Name of Board of national notarial organisation	President		Vice president(s)		Further board members		
		female	male	female	male	female	male	total
Austria (2011)	Meeting of Delegates	-	1	-	3	2	24	26
Belgium (2012)	Board of Directors	1	-	-	1	1	5	6
Bulgaria (2014)	Council of Civil-Law Notaries	-	1	1	1	6	4	10
Croatia	Board Upravni odbor	-	1	-	-	7	6	13
Czech Republic*	-	-	-	-	-	-	-	-
Estonia	Board of the Estonian Chamber of Notaries	1	-	-	1	4	3	7
France	Conseil supérieur du notariat	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Germany	Präsidium	-	1	-	1	1	6	7
Greece	Steering Committee of National Council of Greek Notaries	-	1	1	-	2	4	6
Hungary	National Board	-	1	1	1	13	17	30
Italy	Presidenza and Consiglieri Nazionali	-	1	-	1	3	17	20
Latvia	Council of Sworn Notaries of Latvia	1	-	1	-	5	2	7
Lithuania	Presidium of the Chamber of Notaries of Lithuania	-	1	1	-	6	-	6
Luxemburg*	officially refused to answer the survey							
Malta (2011)	Notarial Council of Malta	-	1	1	-	2	7	9
Netherlands	Bestuur Koninklijke Notariële Beroepsorganisatie	1	-	-	1	1	3	4
Poland*								
Portugal*								
Romania*								
Slovakia (2011)	Presidium	-	1	-	1	2	9	11
Slovenia	Executive Committee	1	-	1	-	6	4	10
Spain	Consejo Council	n/a	n/a	n/a	n/a	n/a	n/a	n/a

Source: ÖSB survey of Chambers of Notaries Jan-March 2017

Table 29 – Board members of National Notarial Organisations in 2016, by gender and number

Country	Name of Board of national notarial organisation	President		Vice president(s)		Further board members		total
		female	male	female	male	female	male	
Austria	Meeting of Delegates	-	1	-	3	2	24	26
Belgium	Board of Directors	-	1	-	2	2	5	7
Bulgaria	Council of Civil-Law Notaries		1	2	2	6	4	10
Croatia	Board Upravni odbor	1	-	1	-	9	4	13
Czech Republic* (2017)			1		1	4	7	11
Estonia	Board of the Estonian Chamber of Notaries	-	1	1	-	4	3	7
France (2017)**						1	6	7
Germany	Präsidium	-	1	-	1	1	6	7
Greece	Steering Committee of National Council of Greek Notaries	-	1	1	-	2	4	6
Hungary	National Board	-	1	1	1	13	17	30
Italy	Presidenza and Consiglieri Nazionali	-	1	-	1	3	17	20
Latvia	National Board	1	-	-	1	3	4	7
Lithuania	Presidium of the Chamber of Notaries of Lithuania	-	1	1	-	5	1	6
Luxemburg*	The Chamber of Notaries (Chambre des Notaires)	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Malta	Notarial Council of Malta	-	1	1	-	4	5	9
Netherlands	Bestuur Koninklijke Notariële Beroepsorganisatie	-	1	-	1	1	4	5
Poland* (2017)	Rada Council National Chamber of Notaries (Krajowa Rada Notarialna - KRN)	-	1	1	1	3	5	8
Portugal* (2017)	Direcção Steering Committee Order of Notaries	-	1	-	1	2	4	6
Romania* (2017)	Presidium Board (Uniunii Nationale a Notarilor Publici - UNNP)	1	-	1	2	8	24	32
Slovakia (2017)	Presididum	-	1	1	-	4	7	11
Slovenia	Executive Committee	1	-	1	-	5	5	10
Spain (2017)***	Consejo Council	-	1	-	1	2	16	18

Source: ÖSB survey of Chambers of Notaries Jan-March 2017

Table 30 – Notaries in EU Member States by gender, number and percent

Country	Male Total	Male percentage	Female Total	Female percentage	Total
Belgium	1041	67.73	496	32.27	1537
Bulgaria	212	31.59	459	68.41	671
Czech Republic	140	31.75	301	68.25	441
Denmark	NA	NA	NA	NA	NA
Germany	6649	81.74	1485	18.26	8134
Estonia	20	21.98	71	78.02	91
Ireland	NA	NA	NA	NA	NA
Greece	503	16.83	2486	83.17	2989
Spain	1946	69.13	869	30.87	2815
France	6386	61.28	4035	38.72	10421
Croatia	117	34.21	225	65.79	342
Italy	3056	65.22	1630	34.78	4686
Cyprus	NA	NA	NA	NA	NA
Latvia	13	12.15	94	87.85	107
Lithuania	34	12.98	228	87.02	262
Luxembourg	20	55.56	16	44.44	36
Hungary	110	34.81	206	65.19	316
Malta	141	41.23	201	58.77	342
Netherlands	NA	NA	NA	NA	3075
Austria	461	90.57	48	9.43	509
Poland	873	38.32	1405	61.68	2278
Portugal	97	25.59	282	74.41	379
Romania	811	33.09	1640	66.91	2451
Slovenia	38	40.86	55	59.14	93
Slovakia	100	29.41	240	70.59	340
Finland	NA	NA	NA	NA	NA
Sweden	NA	NA	NA	NA	NA

Country	Male Total	Male percentage	Female Total	Female percentage	Total
United Kingdom	NA	NA	NA	NA	NA
England and Wales	NA	NA	NA	NA	NA
Northern Ireland	NA	NA	NA	NA	NA
Scotland	NA	NA	NA	NA	NA

Data source: ÖSB survey of Chambers of Notaries Jan-March 2017; Data for LU, CZ, PL, PT and RO is based on: <http://www.notarypublic.ie/>; <https://www.thenotariessociety.org.uk/>; <http://www.notariespublic-ni.org.uk/notary-public-members>; <http://www.notaries-directory.eu/> (accessed March 2017).

Table 31 – Law Students in EU Member States 2013-2015, by gender

Member State	Total 2013	Male 2013	Fe-male 2013	Male % 2013	Fe-male % 2013	Total 2014	Male total 2014	Fe-male total 2014	Male % 2014	Fe-male % 2014	Total 2015	Male total 2015	Fe-male total 2015	Male % 2015	Fe-male % 2015
Belgium	19,613	7,669	11,944	39.10	60.90	20,873	8,132	12,741	38.96	61.04	21,238	8,129	13,109	38.28	61.72
Bulgaria	10,928	4,646	6,282	42.51	57.49	11,240	4,867	6,373	43.30	56.70	10,887	4,746	6,141	43.59	56.41
Czech Republic	13,335	5,937	7,398	44.52	55.48	12,840	5,881	6,959	45.80	54.20	11,476	5,394	6,082	47.00	53.00
Denmark	9,663	3,922	5,741	40.59	59.41	9,910	4,049	5,861	40.86	59.14	8,647	3,463	5,184	40.05	59.95
Germany (until 1990 former territory of the FRG)	126,945	58,958	67,987	46.44	53.56	132,691	61,502	71,189	46.35	53.65	135,392	61,302	74,090	45.28	54.72
Estonia	3,124	1,097	2,027	35.12	64.88	2,865	967	1,898	33.75	66.25	2,602	884	1,718	33.97	66.03
Ireland	5,826	2,971	2,855	51.00	49.00	5,320	2,437	2,883	45.81	54.19	:	:	:	NA	NA
Greece	11,311	4,069	7,242	35.97	64.03	25,447	10,005	15,442	39.32	60.68	:	:	:	NA	NA
Spain	123,184	55,007	68,177	44.65	55.35	123,432	55,319	68,113	44.82	55.18	129,153	57,993	71,160	44.90	55.10
France	183,352	64,105	119,247	34.96	65.04	188,164	65,651	122,513	34.89	65.11	192,391	66,592	125,799	34.61	65.39
Croatia	16,109	4,584	11,525	28.46	71.54	15,042	4,268	10,774	28.37	71.63	17,413	4,308	13,105	24.74	75.26
Italy	205,214	78,542	126,672	38.27	61.73	198,139	76,209	121,930	38.46	61.54	:	:	:	NA	NA
Cyprus	1,231	575	656	46.71	53.29	1,601	760	841	47.47	52.53	2,032	925	1,107	45.52	54.48
Latvia	7,117	2,633	4,484	37.00	63.00	6,711	2,469	4,242	36.79	63.21	6,322	2,294	4,028	36.29	63.71
Lithuania	13,702	5,204	8,498	37.98	62.02	12,281	4,573	7,708	37.24	62.76	10,580	3,909	6,671	36.95	63.05
Luxembourg	831	337	494	40.55	59.45	713	275	438	38.57	61.43	690	257	433	37.25	62.75
Hungary	16,690	6,012	10,678	36.02	63.98	15,477	5,621	9,856	36.32	63.68	14,882	5,414	9,468	36.38	63.62
Malta	906	385	521	42.49	57.51	999	425	574	42.54	57.46	996	408	588	40.96	59.04
Netherlands	35,650	13,163	22,487	36.92	63.08	36,384	13,311	23,073	36.58	63.42	36,798	13,633	23,165	37.05	62.95
Austria	33,258	15,418	17,841	46.36	53.64	33,404	15,309	18,095	45.83	54.17	32,961	15,060	17,901	45.69	54.31
Poland	64,491	26,486	38,005	41.07	58.93	62,762	25,349	37,413	40.39	59.61	62,655	24,873	37,782	39.70	60.30
Portugal	18,061	7,031	11,030	38.93	61.07	18,417	7,105	11,312	38.58	61.42	17,371	6,599	10,772	37.99	62.01

Member State	Total 2013	Male 2013	Fe-male 2013	Male % 2013	Fe-male % 2013	Total 2014	Male total 2014	Fe-male total 2014	Male % 2014	Fe-male % 2014	Total 2015	Male total 2015	Fe-male total 2015	Male % 2015	Fe-male % 2015
Romania	54,217	23,585	30,632	43.50	56.50	47,075	19,597	27,478	41.63	58.37	40,051	15,805	24,246	39.46	60.54
Slovenia	4,122	1,302	2,820	31.59	68.41	4,122	1,302	2,820	31.59	68.41	2,969	907	2,062	30.55	69.45
Slovakia	11,316	4,891	6,425	43.22	56.78	10,389	4,540	5,849	43.70	56.30	9,365	4,102	5,263	43.80	56.20
Finland	4,750	1,968	2,782	41.43	58.57	4,779	1,922	2,857	40.22	59.78	4,887	1,932	2,955	39.53	60.47
Sweden	15,469	5,988	9,481	38.71	61.29	14,535	5,607	8,928	38.58	61.42	14,137	5,521	8,616	39.05	60.95
United Kingdom	89,021	35,349	53,672	39.71	60.29	90,903	35,706	55,197	39.28	60.72	:	:	:	NA	NA

Source: Eurostat

Table 32 – Law Graduates, Bachelors level or Equivalent in EU Member States 2013-2015, by gender

Member State	Total 2013	Male 2013	Fe-male 2013	Male % 2013	Fe-male % 2013	Total 2014	Male total 2014	Fe-male total 2014	Male % 2014	Fe-male % 2014	Total 2015	Male total 2015	Fe-male total 2015	Male % 2015	Fe-male % 2015
Belgium	12,952	5,018	7,934	38.74	61.26	13,528	5,217	8,311	38.56	61.44	13,709	5,154	8,555	37.60	62.40
Bulgaria	0	0	0	NA	NA	0	0	0	0.00	NA	0	0	0	0.00	NA
Czech Republic	3,822	1,474	2,348	38.57	61.43	3,292	1,320	1,972	40.10	59.90	1,867	725	1,142	38.83	61.17
Denmark	5,973	2,563	3,410	42.91	57.09	5,921	2,523	3,398	42.61	57.39	4,393	1,786	2,607	40.66	59.34
Germany (until 1990 former territory of the FRG)	26,922	12,230	14,692	45.43	54.57	27,924	12,902	15,022	46.20	53.80	28,307	12,579	15,728	44.44	55.56
Estonia	2,093	771	1,322	36.84	63.16	1,896	671	1,225	35.39	64.61	1,711	601	1,110	35.13	64.87
Ireland	4,478	2,369	2,109	52.90	47.10	4,276	1,951	2,325	45.63	54.37	:	:	:		NA
Greece	8,845	3,220	5,625	36.40	63.60	22,591	9,070	13,521	40.15	59.85	:	:	:		NA
Spain	75,752	33,908	41,844	44.76	55.24	88,040	39,333	48,707	44.68	55.32	101,416	45,505	55,911	44.87	55.13
France	98,316	34,413	63,903	35.00	65.00	102,021	35,335	66,686	34.64	65.36	107,542	36,604	70,938	34.04	65.96
Croatia	4,192	864	3,328	20.61	79.39	3,059	537	2,522	17.55	82.45	4,021	818	3,203	20.34	79.66
Italy	28,797	13,025	15,772	45.23	54.77	26,509	11,861	14,648	44.74	55.26	23,314	10,261	13,053	44.01	55.99
Cyprus	1,213	570	643	46.99	53.01	1,477	699	778	47.33	52.67	1,806	834	972	46.18	53.82
Latvia	4,741	1,863	2,878	39.30	60.70	4,264	1,680	2,584	39.40	60.60	3,618	1,397	2,221	38.61	61.39
Lithuania	8,438	3,484	4,954	41.29	58.71	7,145	2,902	4,243	40.62	59.38	6,062	2,392	3,670	39.46	60.54
Luxembourg	566	234	332	41.34	58.66	473	183	290	38.69	61.31	455	164	291	36.04	63.96
Hungary	1,639	556	1,083	33.92	66.08	1,661	555	1,106	33.41	66.59	1,625	501	1,124	30.83	69.17
Malta	477	215	262	45.07	54.93	513	227	286	44.25	55.75	489	202	287	41.31	58.69
Netherlands	27,427	10,172	17,255	37.09	62.91	27,532	10,165	17,367	36.92	63.08	27,856	10,407	17,449	37.36	62.64
Austria	5,854	2,842	3,012	48.55	51.45	5,757	2,804	2,952	48.71	51.28	5,218	2,674	2,544	51.25	48.75
Poland	6,034	1,913	4,121	31.70	68.30	5,330	1,592	3,738	29.87	70.13	5,748	1,670	4,078	29.05	70.95
Portugal	15,087	5,734	9,353	38.01	61.99	14,636	5,467	9,169	37.35	62.65	13,556	4,965	8,591	36.63	63.37
Romania	47,505	20,744	26,761	43.67	56.33	40,234	16,371	23,863	40.69	59.31	34,907	13,867	21,040	39.73	60.27

Member State	Total 2013	Male 2013	Fe-male 2013	Male % 2013	Fe-male % 2013	Total 2014	Male total 2014	Fe-male total 2014	Male % 2014	Fe-male % 2014	Total 2015	Male total 2015	Fe-male total 2015	Male % 2015	Fe-male % 2015
Slovenia	2,532	776	1,756	30.65	69.35	2,532	776	1,756	30.65	69.35	2,172	657	1,515	30.25	69.75
Slovakia	6,009	2,662	3,347	44.30	55.70	5,196	2,344	2,852	45.11	54.89	4,463	2,013	2,450	45.10	54.90
Finland	3,431	1,392	2,039	40.57	59.43	3,478	1,388	2,090	39.91	60.09	3,563	1,386	2,177	38.90	61.10
Sweden	6,056	2,199	3,857	36.31	63.69	5,087	1,851	3,236	36.39	63.61	4,591	1,761	2,830	38.36	61.64
United Kingdom	65,951	25,016	40,935	37.93	62.07	66,543	24,985	41,558	37.55	62.45	:	:	:		NA

Source: Eurostat

Table 33 – Law Graduates, Master's Level or Equivalent in EU Member states 2013-2015, by gender

Member State	Total 2013	Male 2013	Fe- male 2013	Male % 2013	Fe- male % 2013	Total 2014	Male total 2014	Fe- male total 2014	Male % 2014	Fe- male % 2014	Total 2015	Male total 2015	Fe- male total 2015	Male % 2015	Fe- male % 2015
Belgium	6,331	2,496	3,835	39.43	60.57	6,828	2,668	4,160	39.07	60.93	6,980	2,715	4,265	38.90	61.10
Bulgaria	10,779	4,575	6,204	42.44	57.56	11,081	4,787	6,294	43.20	56.80	10,709	4,658	6,051	43.50	56.50
Czech Republic	8,791	4,063	4,728	46.22	53.78	8,841	4,162	4,679	47.08	52.92	8,873	4,255	4,618	47.95	52.05
Denmark	3,690	1,359	2,331	36.83	63.17	3,989	1,526	2,463	38.26	61.74	4,254	1,677	2,577	39.42	60.58
Germany (until 1990 former territory of the FRG)	89,123	40,028	49,095	44.91	55.09	93,867	41,900	51,967	44.64	55.36	97,185	43,023	54,162	44.27	55.73
Estonia	927	284	643	30.64	69.36	874	260	614	29.75	70.25	797	247	550	30.99	69.01
Ireland	686	311	375	45.34	54.66	666	333	333	50.00	50.00					NA
Greece	1,785	515	1,270	28.85	71.15	2,150	601	1,549	27.95	72.05					NA
Spain	46,471	20,554	25,917	44.23	55.77	34,165	15,264	18,901	44.68	55.32	25,877	11,407	14,470	44.08	55.92
France	70,845	24,207	46,638	34.17	65.83	72,172	25,065	47,107	34.73	65.27	70,953	24,726	46,227	34.85	65.15
Croatia	11,768	3,654	8,114	31.05	68.95	11,862	3,687	8,175	31.08	68.92	13,316	3,466	9,850	26.03	73.97
Italy	173,763	64,234	109,529	36.97	63.03	169,065	63,114	105,951	37.33	62.67	151,235	56,537	94,698	37.38	62.62
Cyprus	18	5	13	27.78	72.22	121	61	60	50.41	49.59	221	89	132	40.27	59.73
Latvia	821	252	569	30.69	69.31	930	291	639	31.29	68.71	1,345	442	903	32.86	67.14
Lithuania	5,108	1,663	3,445	32.56	67.44	4,970	1,611	3,359	32.41	67.59	4,384	1,468	2,916	33.49	66.51
Luxembourg	205	80	125	39.02	60.98	173	66	107	38.15	61.85	180	68	112	37.78	62.22
Hungary	13,977	5,124	8,853	36.66	63.34	12,865	4,757	8,108	36.98	63.02	12,114	4,587	7,527	37.87	62.13
Malta	381	151	230	39.63	60.37	452	184	268	40.71	59.29	461	182	279	39.48	60.52
Netherlands	8,206	2,975	5,231	36.25	63.75	8,834	3,130	5,704	35.43	64.57	8,934	3,220	5,714	36.04	63.96
Austria	23,530	10,639	12,891	45.21	54.79	23,968	10,654	13,314	44.45	55.55	24,141	10,581	13,560	43.83	56.17
Poland	55,122	22,918	32,204	41.58	58.42	53,854	22,018	31,836	40.88	59.12	53,314	21,481	31,833	40.29	59.71
Portugal	2,351	969	1,382	41.22	58.78	2,905	1,141	1,764	39.28	60.72	2,925	1,127	1,798	38.53	61.47
Romania	6,124	2,566	3,558	41.90	58.10	6,112	2,837	3,275	46.42	53.58	4,581	1,683	2,898	36.74	63.26

Member State	Total 2013	Male 2013	Fe-male 2013	Male % 2013	Fe-male % 2013	Total 2014	Male total 2014	Fe-male total 2014	Male % 2014	Fe-male % 2014	Total 2015	Male total 2015	Fe-male total 2015	Male % 2015	Fe-male % 2015
Slovenia	1,420	451	969	31.76	68.24	1,420	451	969	31.76	68.24	649	192	457	29.58	70.42
Slovakia	4,756	1,922	2,834	40.41	59.59	4,687	1,916	2,771	40.88	59.12	4,428	1,832	2,596	41.37	58.63
Finland	751	274	477	36.48	63.52	755	266	489	35.23	64.77	786	285	501	36.26	63.74
Sweden	8,980	3,667	5,313	40.84	59.16	8,991	3,632	5,359	40.40	59.60	9,077	3,622	5,455	39.90	60.10
United Kingdom	18,150	8,122	10,028	44.75	55.25	17,239	7,683	9,557	44.57	55.44					NA

Source: Eurostat

Table 34 – Law Graduates, Doctoral Level or Equivalent in EU Member states 2013-2015, by gender

Member State	Total 2013	Male 2013	Fe-male 2013	Male % 2013	Fe-male % 2013	Total 2014	Male total 2014	Fe-male total 2014	Male % 2014	Fe-male % 2014	Total 2015	Male total 2015	Fe-male total 2015	Male % 2015	Fe-male % 2015
Belgium	330	155	175	46.97	53.03	517	247	270	47.78	52.22	549	260	289	47.36	52.64
Bulgaria	149	71	78	47.65	52.35	159	80	79	50.31	49.69	178	88	90	49.44	50.56
Czech Republic	722	400	322	55.40	44.60	707	399	308	56.44	43.56	736	414	322	56.25	43.75
Denmark	0	0	0	0.00	NA	0	0	0	0.00	NA	0	0	0	0.00	NA
Germany (until 1990 former territory of the FRG)	10,900	6,700	4,200	61.47	38.53	10,900	6,700	4,200	61.47	38.53	9,900	5,700	4,200	57.58	42.42
Estonia	104	42	62	40.38	59.62	95	36	59	37.89	62.11	94	36	58	38.30	61.70
Ireland	257	113	144	43.97	56.03	222	101	121	45.50	54.50	:	:	:	NA	NA
Greece	681	334	347	49.05	50.95	706	334	372	47.31	52.69	:	:	:	NA	NA
Spain	961	545	416	56.71	43.29	1,227	722	505	58.84	41.16	1,860	1,081	779	58.12	41.88
France	7,909	3,997	3,912	50.54	49.46	7,696	3,827	3,869	49.73	50.27	7,609	3,834	3,775	50.39	49.61
Croatia	149	66	83	44.30	55.70	121	44	77	36.36	63.64	76	24	52	31.58	68.42
Italy	2,654	1,283	1,371	48.34	51.66	2,565	1,234	1,331	48.11	51.89	:	:	:	NA	NA
Cyprus	0	0	0	0.00	0.00	3	0	3	0.00	100.00	5	2	3	40.00	60.00
Latvia	184	88	96	47.83	52.17	180	87	93	48.33	51.67	143	70	73	48.95	51.05
Lithuania	156	57	99	36.54	63.46	166	60	106	36.14	63.86	134	49	85	36.57	63.43
Luxembourg	60	23	37	38.33	61.67	67	26	41	38.81	61.19	55	25	30	45.45	54.55
Hungary	451	232	219	51.44	48.56	432	206	226	47.69	52.31	470	202	268	42.98	57.02
Malta	2	2	0	100.00	0.00	2	2	0	100.00	0.00	4	4	0	100.00	0.00
Netherlands	:	:	:	NA	NA	:	:	:	NA	NA	:	:	:	NA	NA
Austria	3,846	1,920	1,926	49.92	50.08	3,676	1,849	1,826	50.30	49.67	3,589	1,798	1,791	50.10	49.90
Poland	3,335	1,655	1,680	49.63	50.37	3,578	1,739	1,839	48.60	51.40	3,593	1,722	1,871	47.93	52.07
Portugal	623	328	295	52.65	47.35	876	497	379	56.74	43.26	890	507	383	56.97	43.03
Romania	588	275	313	46.77	53.23	729	389	340	53.36	46.64	563	255	308	45.29	54.71
Slovenia	170	75	95	44.12	55.88	170	75	95	44.12	55.88	148	58	90	39.19	60.81

Member State	Total 2013	Male 2013	Female 2013	Male % 2013	Female % 2013	Total 2014	Male total 2014	Female total 2014	Male % 2014	Female % 2014	Total 2015	Male total 2015	Female total 2015	Male % 2015	Female % 2015
Slovakia	551	307	244	55.72	44.28	506	280	226	55.34	44.66	474	257	217	54.22	45.78
Finland	568	302	266	53.17	46.83	546	268	278	49.08	50.92	538	261	277	48.51	51.49
Sweden	249	102	147	40.96	59.04	259	107	152	41.31	58.69	252	107	145	42.46	57.54
United Kingdom	2,295	1,189	1,106	51.81	48.19	2,399	1,256	1,144	52.36	47.69	:	:	:	NA	NA

Source: Eurostat

Table 35 – Grade A staff in social sciences 2007, 2010, 2013, by gender

Member State	Total 2013	Male 2013	Fe-male 2013	Male % 2013	Fe-male % 2013	Total 2014	Male total 2014	Fe-male total 2014	Male % 2014	Fe-male % 2014	Total 2015	Male total 2015	Fe-male total 2015	Male % 2015	Fe-male % 2015
Belgium	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	551	446	105	80.94	19.06
Bulgaria	591	508	83	85.96	14.04	521	441	80	84.64	15.36	NA	NA	NA	NA	NA
Czech Republic	319	273	46	85.58	14.42	327	276	51	84.40	15.60	327	276	51	84.40	15.60
Denmark	421	357	64	84.80	15.20	491	406	85	82.69	17.31	661	513	148	77.61	22.39
Germany	2247	2026	221	90.16	9.84	2478	2165	313	87.37	12.63	2631	2210	421	84.00	16.00
Estonia	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Ireland	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	168	96	72	57.14	42.86
Greece	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	698	541	157	77.51	22.49
Spain	2906	2324	582	79.97	20.03	2575	2117	458	82.21	17.79	2785	2176	609	78.13	21.87
France	3275	2718	557	82.99	17.01	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Croatia	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	552	311	241	56.34	43.66
Italy	4296	3510	786	81.70	18.30	3600	2878	722	79.94	20.06	3781	2862	919	75.69	24.31
Cyprus	20	18	2	90.00	10.00	24	21	3	87.50	12.50	46	43	3	93.48	6.52
Latvia	28	17	11	60.71	39.29	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Lithuania	135	111	24	82.22	17.78	135	111	24	82.22	17.78	135	111	24	82.22	17.78
Luxembourg	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Hungary	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Malta	3	3	0	100.00	0.00	NA	NA	NA	NA	NA	43	20	23	46.51	53.49
Netherlands	1174	1016	158	86.54	13.46	1352	1140	212	84.32	15.68	1374	1111	263	80.86	19.14
Austria	517	439	78	84.91	15.09	554	438	116	79.06	20.94	643	488	155	75.89	24.11
Poland	1565	1214	351	77.57	22.43	NA	NA	NA	NA	NA	1223	934	289	76.37	23.63
Portugal	543	432	111	79.56	20.44	507	408	99	80.47	19.53	462	347	115	75.11	24.89
Romania	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Slovenia	256	206	50	80.47	19.53	292	237	55	81.16	18.84	335	255	80	76.12	23.88
Slovakia	693	497	196	71.72	28.28	714	499	215	69.89	30.11	779	539	240	69.19	30.81
Finland	727	505	222	69.46	30.54	755	525	230	69.54	30.46	794	521	273	65.62	34.38

Member State	Total 2013	Male 2013	Fe-male 2013	Male % 2013	Fe-male % 2013	Total 2014	Male total 2014	Fe-male total 2014	Male % 2014	Fe-male % 2014	Total 2015	Male total 2015	Fe-male total 2015	Male % 2015	Fe-male % 2015
Sweden	841	663	178	78.83	21.17	961	740	221	77.00	23.00	1204	864	340	71.76	28.24
United Kingdom	2488	1925	563	77.37	22.63	2489	1924	565	77.30	22.70	2489	1924	565	77.30	22.70

Source: She Figures 2009, 2012, 2015

Upon request by the Committee on Legal Affairs, this study analysis is mapping across all 28 EU Member States the representation of women and men in legal professions. The aim of this study is to identify areas where women or men are currently underrepresented and to analyse the underlying reasons and constraints.

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